



AGRICULTURAL RESEARCH INSTITUTE

PUSA

PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL
OF THE
UNITED PROVINCES
OFFICIAL REPORT

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40.**RULINGS BY THE HON'BLE THE PRESIDENT—**Ruling *re* procedure in connection with reports of the Committee
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XXXVI, 330.Ruling *re* duty of members to address the Chair. XXXVI, 402,
448.Ruling *re* impropriety of personal attacks on another member.
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420.Ruling *re* practice with regard to adjourning. XXXVI, 438.Ruling *re* motion for address to the Governor and contents of such
a motion. XXXVI, 634, 635, 636.Ruling *re* references to H. E. the Governor. XXXVI, 645.**S****SADABARAT FUNI—**Question *re* the——. XXXVI, 3.**SADAYATAN PANDE, PANDIT SHRI—***See* "Questions and Answers."**SADHO SINGH, THAKUR—**Agra Province Zamindars' Association Contribution Bill. XXXVI,
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SAIVATION ARMY SETTLEMENTS—

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See "Questions and Answers."

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Question *re* admission of students of depressed classes in—. .

XXXVI, 52.

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Question *re* book called—. XXXVI, 224.

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SHAFAT AHMAD KHAN, DR.—

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Agra Province Zamindars' Association Contribution Bill. XXXVI, 595-596.

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SHIVA SHANKAR SINGH, THAKUR—

Agra Province Zamindars' Association Contribution Bill. XXXVI, 643.

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SHYAM LAL, BABU—

Agra Province Zamindars' Association Contribution Bill. XXXVI, 640-641, 643.

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406, 407.

And *see* "Questions and Answers."

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See "Questions and Answers."

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See "Questions and Answers."

ZIA-UL-HAQ, KHAN BAHADUR, SHAIKH—

See "Questions and Answers."

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Saturday, December 17, 1927.

THE Council met in the Council House, Lucknow, at 11 a.m.
The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT :

(87)

The Hon'ble Sir Sam O'Donnell.	Pandit Mulchand Dube.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Pandit Devata Prasad.
The Hon'ble Rai Rajeshwar Ball	Babu Shyam Lal.
The Hon'ble Thakur Rajendra Singh.	Babu Uma Shankar.
The Hon'ble Nawab Muhammad Yusuf.	Pandit Venkatesh Narayan Tivary.
Kunwar Jagdish Prasad.	Babu Kavendra Narayan Singh.
Mr. E. A. H. Blunt.	Pandit Shri Sadayatan Pande.
Mr. Panna Lal.	Raja Sri Krishna Dutt Dube.
Sir Ivo Elliott.	Thakur Shiva Shankar Singh.
Mr. J. H. Darwin.	Rai Bahadur Thakur Hanuman Singh.
Mr. H. A. Lane.	Rai Bahadur Babu Abhainandan Prasad.
Mr. R. L. Yorke.	Pandit Govind Ballabh Pant.
Mr. A. W. Pim.	Pandit Badri Dutt Pande.
Mr. A. W. McNair.	* Mr. Mukandi Lal.
Khan Bahadur Chaudhri Wajid Husain.	Rai Bahadur Chaudhri Jagannath Prasad.
Mr. E. L. Norton.	Rai Bahadur Babu Mohan Lal.
Mr. F. F. R. Ohanner.	Raja Raghuraj Singh.
Mr. R. J. S. Dodd.	Maharaj Kumar Major Mahijit Singh.
Colonel R. F. Baird.	Kunwar Surendra Pratap Sahi.
Mr. A. H. Mackenzie.	Mr. C. Y. Chintamani.
Mr. G. Clarke.	Haji Abdul Qayum.
Mirza Muhammad Sajjad Ali Khan.	Maulvi Zabur-ud-din.
Mr. H. C. Desanges.	Saiyid Tufail Ahmad.
Mr. E. Ahmad Shah.	Khan Bahadur Shaikh Zia-ul-Haq.
Babu Rama Charana.	Nawabzada Muhammad Liaqat Ali Khan.
Sri Ganesh Shankar Vidyarthi.	Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.
Mr. A. P. Dube.	Maulvi Muhammad Obaid-ur-Rahman Khan.
Pandit Rahas Bihari Tiwari.	Khan Bahadur Hafiz Hidayat Husain.
Babu Chhail Bihari Capoor.	Maulvi Saiyid Habib-ullah.
Babu Bhagwati Sahai Bedar.	Khan Bahadur Shah Badre Alam.
Chaudhri Mangat Singh.	Shaikh Ghulam Hussain.
Rai Bahadur Lala Jagdish Prasad.	Khan Bahadur Saiyid Jafer Hosain.
Chaudhri Vijai Pal Singh.	Khawaja Khalil Ahmad Shah.
Chaudhri Dharamvir Singh.	Shaikh Muhammad Habib-ullah.
Thakur Manak Singh.	Raja Saiyid Ahmad Ali Khan Alvi.
Thakur Hukum Singh.	Mr. Muhammad Habib.
Raja Kushal Pal Singh.	Rai Bahadur Lala Mathura Prasad Mehrotra.
Thakur Gulab Singh.	Raja Shambhu Dayal.
Rao Krishna Pal Singh.	Kunwar Bisheshwar Dayal Seth.
Lala Nemi Saran.	Raja Jagannath Baksh Singh.
Chaudhri Badan Singh.	Mr. E. M. Souter.
Rao Sahib Kunwar Sardar Singh.	Pandit Iqbal Narayan Gurtu.
Thakur Sedho Singh.	
Pandit Brijnandan Prasad Misra.	
Pandit Bhagwat Narayan Bhargava.	

MEMBERS SWORN :

Mr. E. A. H. Blunt.
Mr. A. W. Pim.

Babu Chhail Bihari Capoor.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

VOTES OF CENSURE ON CHAIRMEN OF LOCAL BODIES.

***1. Pandit Bhagwat Narayan Bhargava:** In how many, and which, municipal and district boards have votes of censure been passed on chairmen, and with what result?

The Hon'ble Nawab Muhammad Yusuf: A statement is laid on the table.

(See Appendix A, page 140.)

AUDIT OBJECTIONS IN THE ACCOUNTS OF BAHRAICH DISTRICT BOARD AND SORON MUNICIPALITY.

***2. Babu Ganesh Shanker Vidyarthi:** Will the Government be pleased to state what steps have been taken on the remarks made by the examiner in paragraphs 121, 122 and 124 of his annual report for 1925-26 regarding the affairs in the Bahraich district board and on the remarks in paragraphs 37 and 38 regarding the affairs in the Soron municipality?

The Hon'ble Nawab Muhammad Yusuf: The district board of Bahraich answered the audit objections. The Commissioner considered the answers to be unsatisfactory and told the board so. The board has not replied. The Soron municipal board have obtained sanction from the Commissioner to the expenditure which was held under objection.

MEDIUM OF INSTRUCTION IN MODEL SCHOOL, ALLAHABAD.

***3. Pandit Govind Ballabh Pant:** What is the medium of instruction in the high school classes in the Model School attached to the Training College at Allahabad? Are Hindi and Urdu not used there?

The Hon'ble Rai Rajeshwar Bali: English, Mathematics, History, Geography and Science are taught in English; other subjects in the vernacular. Urdu and Hindi are used.

BURMA MEAT TRADE.

***4. Pandit Bhagwat Narayan Bhargava:** With reference to the answer given to starred question No. 94 of August 22, 1925, will the Government state if it is now in a position to say what action it intends to take on the resolution of this Council adopted on February 16, 1921, regarding stoppage of Burma meat trade?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The honourable member is referred to the reply given to starred question No. 22 asked by Pandit Shri Sadayatan Pande Sahib today.

VETERINARY ASSISTANT SURGEONS.

***5. Pandit Rahas Bihari Tiwari:** (1) Will the Government be pleased to state—

- (a) the number of Hindu, Muhammadan and Christian veterinary assistant surgeons and veterinary inspectors employed in these provinces with permanent place of their residence;
- (b) the number of Hindu, Muhammadan and Christian candidates selected for training in veterinary colleges for the last five years?

(2) Do Government intend to introduce a competitive examination for selection of candidates for admission to the veterinary assistant surgeon class ?

The Hon'ble Thakur Rajendra Singh : (1)(a) Veterinary inspectors—

Permanent place of residence.

Hindus—3	...	..	Punjab.
Muhammadans—13	...	{	United Provinces—4.
		{	Punjab—9.
Veterinary assistant surgeons—			
Hindus—58	...	...	{ United Provinces—30.
			{ Bihar and Orissa—2.
			{ Punjab—26.
Muhammadans—122	...	{	United Provinces—83.
		{	Punjab—39.

There is no Christian veterinary inspector or assistant surgeon.

(b) Two Hindus and one Muhammadan. (No students were sent between 1923-24 and 1926-27.)

(2) No.

Pandit Rahas Bihari Tiwari : Why does the Government not intend to introduce competitive examination ?

The Hon'ble Thakur Rajendra Singh : Because only a few vacancies occur in the year.

Pandit Rahas Bihari Tiwari : Will the Government consider the question ?

The Hon'ble Thakur Rajendra Singh : Yes, I will.

TECHNOLOGICAL INSTITUTE, CAWNPORE.

*6. **Mr. J. P. Srivastava :** Will the Government be pleased to state what will be the total non-recurring expenditure on the building and equipment of the Technological institute at Cawnpore ? Has the advisory committee of the institute been given an opportunity to vote the expenditure and to approve of the plans and the proposed equipment ?

The Hon'ble Thakur Rajendra Singh : (a) The estimates for equipment have not been finally passed by Government and some of the estimates for building may have to be revised; but it is probable that the cost on buildings will eventually amount to about 13 lakhs. About equipment, Government are at present unable to make a statement for the reasons given above.

(b) Yes.

SADABART FUND.

*7. **Pandit Govind Ballabh Pant :** How is the Sadabart fund administered ? When was it started ? Are its accounts audited ? Is any administration report published ? Has there been any change in the system of administration of this fund recently ? What are the object, income and sources of income of this fund ? Will the Government be pleased to lay on the table the annual administration and audit reports of the fund for the last three years ?

The Hon'ble Rai Rajeshwar Bali : (a) The Sadabart fund is administered by the Deputy Commissioner of Garhwal and is controlled by Government in the Public Health department through the Commissioner of the Kumaun division.

(b) It was started in the year 1797.

(c) Yes.

(d) Yes.

(e) Yes. The fund was controlled by the Board of Revenue as an Agent of Government till 1925, when it was transferred to the direct control of Government in the Public Health department.

(f) The fund is intended for the benefit of the pilgrims to the shrines of Badri Nath and Kedar Nath in Garhwal and is devoted to any object which renders the pilgrimage more comfortable and safe for the pilgrims undertaking it, i.e., medical aid, upkeep and sanitation of the pilgrim route and provision and maintenance of water-supply.

The income of the fund in 1926-27 was Rs. 77,142 excluding the opening balance of Rs. 84,868.

The sources of income are as follows :—

Land revenue.

Mill rents.

Conservancy tax.

Contributions.

Interest on investments.

Government grants.

(g) Copies of annual administration and audit reports† for the last three years are laid on the honourable member's table.

HINDU TAHSILDAR AT SADAR TAHSIL, BAREILLY.

***8. Lient. Raja Kali Charan Misra** (*asked by Lala Nemi Saran in the absence of the questioner*) : (a) Will the Government be pleased to state why no Hindu tahsildar at Sadar tahsil, Bareilly, has been appointed for thirty years or more ?

(b) Has there been no efficient Hindu tahsildar available ?

The Hon'ble Sir Sam O'Donnell : The honourable member is referred to the answer given to his starred question No. 31 on December 12, 1922.

Babu Uma Shankar : In view of the answer of the Government given on December 12, 1922, that Hindu tahsildars are available, will the Government be pleased to give reasons why no Hindu tahsildar has been appointed in Bareilly since the answer was given ?

The Hon'ble Sir Sam O'Donnell : For the reasons as explained in that answer. The Commissioner has been addressed on the subject.

Lala Nemi Saran : Are the district authorities actuated by communal considerations in appointing a Muslim tahsildar ?

The Hon'ble Sir Sam O'Donnell : No.

Babu Ohhal Bihari Capoor : May I ask the Government whether they intend to appoint a Hindu tahsildar next time ?

The Hon'ble Sir Sam O'Donnell : The Commissioner has been addressed on the subject.

The Hon'ble Nawab Muhammad Yusuf: The information is being collected and will be laid on the table at a later date.

***13. Pandit Nanak Chand:** Will the Government be pleased to place in the following form a statement on the table showing the mileage and condition of extra-municipal limit metalled roads maintained, and the average cost of maintenance and repair borne by the Government and district boards, respectively, for each of the districts in these provinces? :—

Name of the district.	Mileage of extra-municipal limit metalled roads in the district maintained and repaired by—		Average cost per mile of maintenance and repair during 1922-23 to 1926-27 spent by—		Condition of roads maintained by—	
	Government.	District board.	Government.	District board.	Government.	District board.

The Hon'ble Nawab Muhammad Yusuf: A statement containing the information so far available is laid on the table.

(See Appendix B, page 141.)

PANCHAYAT AT KHANPUR, DISTRICT BULANDSHAHR.

***14. Pandit Brijnandan Prasad Misra:** (a) Is it a fact that a *panchayat* was constituted at Khanpur, district Bulandshahr, in January, 1924, consisting of seven *panches* including the *sarpanch* on the recommendation of M. Niaz Muhammad, Sub-Divisional Officer, Anupshahr tahsil?

(b) Was any local inquiry made before constituting the said *panchayat*? If not, why? If any inquiry was made, when, and from whom it was made?

(c) Was Sakhawat Ali Shah alias Sakhijan appointed *sarpanch* of the *panchayat*?

(d) What amount, if any, is paid by the *sarpanch* as (i) land revenue, or (ii) income-tax? What is the source of his income?

The Hon'ble Nawab Muhammad Yusuf: (a) Yes.

(b) Yes; the sub-divisional officer, M. Niaz Muhammad, made some inquiries in 1924 while on tour.

(c) Yes.

(d) (i) Rs. 236 per annum.
(ii) Nil.

In addition to the above, Sakhawat Ali and his parents jointly pay a land revenue of Rs. 5,000, the estate being under the Court of Wards. Besides this, he has an income of Rs. 200 per mensem from an agricultural farm and his father is in receipt of a political pension of Rs. 100 per mensem.

***15. Pandit Brijnandan Prasad Misra:** (a) Is it a fact that several complaints were made against the working of the Khanpur *panchayat*

before Mr. Acton, Collector, Bulandshahr? If so, when, and by whom were these complaints made, and what orders, if any, were passed thereon?

(b) Did any residents of Khanpur apply to the collector before December, 1926, praying that their cases be not heard by the *panchayat*? If so, when, on what grounds, and by how many persons? In how many cases the applications were granted?

(c) Is it a fact that dissatisfaction against the working of the *panchayat* reached a point in August, 1926, that a report of an apprehended breach of the peace was made by a police official at police station Aurangabad? What are the names of the persons against whom the report was recorded?

The Hon'ble Nawab Muhammad Yusuf: (a) Yes. The papers have not been preserved.

(b) No records of such cases exist.

(c) No report of any apprehended breach of the peace was made by the police in connexion with the *panchayat* itself.

* 16. **Pandit Brijnandan Prasad Misra:** (a) Is it a fact that M. Abdul Wahid Khalil, Sub-Divisional Officer, Anupshahr, district Bulandshahr, recommended to the collector in January, 1927, for the extension of the life of the *panchayat* at Khanpur for another three years without any change? If so, will the Government be pleased to lay the recommendation report on the table?

(b) Did the sub-divisional officer make any regular local inquiry before submitting his report for extension? If so, when, from whom, and from how many persons the inquiry was made?

(c) Did the sub-divisional officer inquire into, and report upon the causes of dissatisfaction against the working of the *panchayat*? If not, why?

The Hon'ble Nawab Muhammad Yusuf: (a) Yes. Copies of reports dated January 11, 1927, and April 14, 1927, are laid on the table.

(b) Yes. Details will be found in the reports mentioned above.

(c) Yes.

(See Appendix C, page 147.)

* 17. **Pandit Brijnandan Prasad Misra:** (a) Is it a fact that about 150 residents of Khanpur submitted an application before Mr. Minson, Collector, Bulandshahr, in January, 1927, praying for the suspension of the *sarpanch* and for the appointment of a new *panchayat* after consulting the wishes of the residents of Khanpur?

(b) What order, if any, was passed by Mr. Minson on the application? Will the Government be pleased to lay a copy of the order on the table?

(c) Is it a fact that by a later order of the collector all *panchayat* work of the district was placed in charge of Mr. Wanchoo, I.C.S.? Will the Government be pleased to lay a copy of the order on the table? Will Government be pleased to state who conducted the inquiry?

The Hon'ble Nawab Muhammad Yusuf: (a) Yes. A petition was filed in the court of Mr. Minson on January 13, 1927, through Pandit Nanak Chand, B.A., LL.B., *wakil*, M.L.C., praying for the suspension of the *sarpanch* and appointment of new *panches*.

(b) A copy of the order passed by Mr. Minson is placed on the table.

(c) (i) No. But all *panchayat* complaints were ordered to be entrusted to Mr. Wanchoo, I.C.S., for inquiry and report.

(ii) A copy of the order is laid on the table.

(iii) The sub-divisional officer conducted the inquiry as ordered by Mr. Minson.

(See Appendix D, page 151.)

*18. **Pandit Brijnandan Prasad Misra :** (a) Is it a fact that on February 6, 1927, the date fixed by the sub-divisional officer for local inquiry about the constitution of the *panchayat* at Khanpur, a police guard was despatched to Khanpur and posted there? What was the numerical strength of the said guard? Did it consist of armed police? When was this guard withdrawn? Why, and under whose orders was it despatched to Khanpur?

(b) Did the sub-inspector of police in charge of Aurangabad police station accompany the sub-divisional officer to Khanpur on February 6, 1927? What is the name of the sub-inspector? Was he present at the *panchayat* inquiry? If so, why?

The Hon'ble Nawab Muhammad Yusuf : (a) (i) Yes. But the guard reached Khanpur after the sub-divisional officer had completed his inquiry.

(ii) The guard consisted of one head constable and four constables.

(iii) Yes.

(iv) On February 11, 1927.

(v) The guard was deputed to Khanpur on the requisition of the station officer, as burglaries were being committed there at the instance of the two rival parties in order to implicate each other's opponents.

(b) (i) Yes.

(ii) M. Masud Hasan.

(iii) and (iv) He was present in the grove in which the inquiry was held in order to see that no disorder takes place.

*19. **Pandit Brijnandan Prasad Misra :** (a) Is it a fact that an application, dated March 5, 1927, detailing the irregularities and the attitude adopted by the sub-divisional officer at the time of the inquiry was submitted by a number of residents of Khanpur before the Collector of Bulandshahr praying for one of the following reliefs :—

(i) that no *panch* or *sarpanch* should be appointed on the *panchayat* from the family of Sakhijan including himself; or

(ii) if this prayer is not accepted an order should be passed that the cases of persons who have complained against the *sarpanch* and their relations should not go before the *panchayat*; or

(iii) the *panchayat* be not renewed or be abolished under section 10 of the Village Panchayat Act?

Was any relief granted? If not, why?

(b) Was this application sent to the sub-divisional officer? If so, when was it received by the latter?

(c) Did the sub-divisional officer submit any report to the collector as the result of his inquiry? If so, when? Will the Government be pleased to lay a copy of it on the table?

(d) Did the collector pass any order on the report of the sub-divisional officer? Will the Government be pleased to lay a copy of the order on the table?

The Hon'ble Nawab Muhammad Yusuf: (a) Yes. No relief was found necessary, as the complaints were baseless.

(b) Yes. After January 13, 1927.

(c) Yes, on April 14, 1927. A copy of the report is laid on the table with question No. 16, portion marked A.

(d) Yes. A copy of the order is laid on the table.

***20. Pandit Brijnandan Prasad Misra:** (a) How many cases have been so far heard by the village *panchayat*, Khanpur, district Bulandshahr, since its re-constitution in April, 1927?

(b) How many of these cases were against persons who were the signatories of any one of the applications opposing the appointment of the *sarpanch*?

(c) Were any applications submitted to the collector requesting for the transfer of their cases from the *panchayat*? If so, when, by whom, and what orders were passed thereon? What was the result of these cases before the *panchayat* in each case?

The Hon'ble Nawab Muhammad Yusuf: (a) Thirty-nine civil and nine criminal cases.

(b) Nine—five civil and four criminal—apart from the one case which was brought by a signatory of the applications opposing the appointment of the *sarpanch* against another such signatory.

(c) Yes, four transfer petitions were submitted to the collector which were rejected. The other details asked for will be found in the statement laid on the table.

(See Appendix E, page 152.)

RESOLUTIONS PASSED AT THE LOCAL BOARDS CONFERENCE HELD AT JAUNPUR.

***21. Lieut. Nawab Muhammad Jamshed Ali Khan** (*asked by Lala Nemi Saran in the absence of the questioner*): Will the Government be pleased to give in the form of a statement—

(a) the resolutions passed at the recent local board's conference held at Jaunpur;

(b) the action taken by the Government on those resolutions?

If no action has been taken on the resolutions, will the Government be pleased to state the reasons for the same?

The Hon'ble Nawab Muhammad Yusuf: (a) The honourable member should obtain the information from the gentleman responsible for the conference.

(b) The Government are not prepared to make this statement.

Lala Nemi Saran : May I know if Government has considered what is the difference ?

The Hon'ble Nawab Muhammad Yusuf : Some of the resolutions fit to be considered will be examined.

Lala Nemi Saran : Is it the intention of the Government to consult non-official bodies ?

The Hon'ble Nawab Muhammad Yusuf : Yes.

BURMA MEAT TRADE.

***22. Pandit Shri Sadayatan Pande :** With reference to the answer given by the Government on December 22, 1925, to Thakur Raj Kumar Singh's unstarred question No. 25, will the Government be pleased to lay on the table a copy of the statistics relating to dried meat trade for the last two years and state what action they have taken or intend to take to stop the trade ?

The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan : A statement giving the required figures is laid on the honourable member's table. In view of the figures given there do not appear to be any strong grounds for undertaking special legislation without which the trade cannot be stopped.

(See Appendix F, page 152.)

CATTLE SLAUGHTER.

***23. Pandit Shri Sadayatan Pande** (*asked by Pandit Bhagwat Narayan Bhargava in the absence of the questioner*): With reference to the late Rai Bahadur Shanker Dayal's unstarred question No. 8 asked in the Legislative Council on March 27, 1924, will the Government be pleased to state whether they have arrived at any final decision in the matter of placing restriction on the slaughter of certain kinds of cattle? If not, why not?

The Hon'ble Thakur Rajendra Singh : No restrictions can be placed without special legislation which the Government do not consider expedient to undertake at the present time.

Pandit Bhagwat Narayan Bhargava : Is the Government aware that the Central Provinces Government has done so without passing any special legislation ?

The Hon'ble Thakur Rajendra Singh : I am not aware.

Pandit Bhagwat Narayan Bhargava : Is it a fact that the Hon'ble Minister has admitted in answer to question No. 25 of today's date that he is aware of that notification of the Central Provinces Government.

The Hon'ble the President : Let us take up No. 25 then.

***24. Pandit Shri Sadayatan Pande** (*asked by Pandit Bhagwat Narayan Bhargava in the absence of the questioner*): Have the Government received any recommendation from the Cattle-breeding Committee of the United Provinces regarding restriction of slaughter of certain kinds of cattle and provision of pasture grounds? If so, will the Government be pleased to place the same on the table and state what steps they have taken or propose to take in the matter ?

The Hon'ble Thakur Rajendra Singh : The answer to the first part of the question is in the affirmative. For reasons given in the answer to

starred question No. 23 Government do not propose to take any steps in the matter.

***25. Pandit Shri Sadayatan Pande** (*asked by Pandit Bhagwat Narayan Bhargava in the absence of the questioner*): (a) Is the Government aware that the Government of the Central Provinces and Berar by its notification No. 1239—955/XIII, dated May 31, 1922, prohibited the slaughter of the following classes of animals:—

- (1) Any animal either pregnant or in milk.
- (2) All cows.
- (3) All animals other than sheep or goat which is of or under the age of nine years?

(b) Does this Government also propose to stop the slaughter of the above classes of animals? If not, why not?

The Hon'ble Thakur Rajendra Singh: (a) Yes.

(b) No.

Pandit Bhagwat Narayan Bhargava: May I know the reasons why this Government is not prepared to issue a notification like the one issued by the C. P. Government?

The Hon'ble Thakur Rajendra Singh: We have been advised that Government cannot issue such a notification without legislation.

Pandit Bhagwat Narayan Bhargava: Have the Government consulted their legal advisers whether there is any difference between the constitution of the Government of Central Provinces and that of the United Provinces Government?

The Hon'ble Thakur Rajendra Singh: There is a difference in the Act, I believe.

Pandit Bhagwat Narayan Bhargava: In the Government of India Act? Are there two Government of India Acts?

The Hon'ble the President: It is degenerating into an argument.

Lala Nemi Saran: Is it the intention of the Government to bring a Bill for that purpose so that such a notification could be issued?

The Hon'ble Thakur Rajendra Singh: As I have already said, Government do not consider it expedient to bring in any Bill.

DISTRICT BOARD, BANDA, AND ITS CHAIRMAN.

***26. Thakur Har Prasad Singh**: Is it a fact that the chairman, district board, Banda, has not complied with the provisions of section 47(1) of the District Boards Act during 1926-27?

The Hon'ble Nawab Muhammad Yusuf: Yes. So far as could be ascertained, the board held no meetings in the month of April, July, October, November, January and March of the year 1926-27.

***27. Thakur Har Prasad Singh**: Is it a fact that the chairman, district board, Banda, in contravention of the provisions of section 47(2) of the District Boards Act did not call the meeting on the requisition made by about fourteen members of the board? If so, why?

The Hon'ble Nawab Muhammad Yusuf: Yes. The chairman says that he considered that the members had violated the provisions of

sections 47 (2) and 55 (5) of the District Boards Act, but does not state in what respect.

***28. Thakur Har Prasad Singh:** (a) How many meetings of the district board, Banda, were held at Naraini, the residence of the chairman, during 1926-27?

(b) How many meetings were held at Banda in 1926-27?

(c) How many meetings were held in other tahsils of the district in 1926-27?

(d) Is it a fact that the resolutions relating to the passing of the yearly budget of 1927-28, the dismissal of the secretary, the appointment of new secretary and the vote of no-confidence in the chairman were moved and passed in the meetings held at Naraini?

The Hon'ble Nawab Muhammad Yusuf: (a) Two.

(b) Eleven.

(c) None.

(d) Yes, except a vote of non-confidence.

***29. Thakur Har Prasad Singh:** (a) Is it a fact that the resolution relating to a vote of no-confidence in the chairman was to be moved in the meeting of May 1 at Banda?

(b) Is it a fact that the chairman postponed the said meeting to May 7, 1927, and without issuing any fresh notice to the members fixed the venue of the postponed meeting at Naraini?

(c) Is it a fact that the chairman took with him the minute book of the board after postponing the meeting of May 1, 1927?

(d) Is it a fact that soon after the postponement of the meeting and the departure of the chairman about half of the members of the board turned up and held the meeting of the board under the chairmanship of Mr. Salim, the senior vice-chairman, and resolved therein that they had no confidence in the chairman? If so, what was the voting in favour of and against it?

(e) How many members attended the postponed meeting at Naraini and how many of them supported the motion of confidence in the chairman?

The Hon'ble Nawab Muhammad Yusuf: (a) Yes.

(b) Yes.

(c) No.

(d) Yes. There were eleven members present in the meeting and all were in favour of passing the resolution of non-confidence.

(e) (i) Eight, including the chairman.

(ii) All except one.

***30. Thakur Har Prasad Singh:** (a) Was any charge framed against Pandit Ram Dayal, secretary, district board, by the board or the chairman and was Pandit Ram Dayal given an opportunity to meet that charge before he was dismissed by the board? If the reply be in the affirmative, will the Government be pleased to supply copies of the charge or charges and the explanation of the secretary?

(b) How many members voted for the dismissal of the secretary and how many did oppose it?

(c) Is it a fact that the board soon after passing the resolution dismissing the secretary took up altogether a new resolution relating to the appointment of Pandit Alopi Din as the secretary of the board? Was this resolution on the agenda and were applications for the post of secretary invited by means of public notice?

The Hon'ble Nawab Muhammad Yusuf: (a) No; but the charges against Pandit Ram Dayal were contained in a report of the vice-chairman, dated October 10, 1926, and he was given an opportunity at his own request to explain the charges in the open meeting of the board, but he failed to satisfy them.

(b) Thirteen members voted for dismissal and nine against it.

(c) The reply to the first part is in the affirmative and to the latter part in the negative.

***31. Thakur Har Prasad Singh:** (a) Is it a fact that the courts which convicted the assailant of Pandit Ram Dayal, secretary, had found that some of the employees of the board were abettors? If so, has the board taken any action against any of such employees?

(b) Is it a fact that the deputy magistrate who tried the case *re Mukand Singh versus Pandit Ram Dayal and others*, criticized the conduct of certain clerks of the board who appeared as prosecution witnesses very strongly? If so, has the board taken any step against such clerks?

(c) Is it a fact that the committee appointed by the board in its meeting of February 10, 1927, recommended the dismissal of certain clerks? If so, have those clerks yet been dismissed?

The Hon'ble Nawab Muhammad Yusuf: (a) The reply is in the negative.

(b) Yes. The deputy magistrate criticized the conduct of one Shiam Sundar Lal, an employee of the board, but apparently the board took no action against him.

(c) The committee consisted of two members, one of whom was not a member of the board. At a subsequent meeting the board held this constitution to be illegal under section 57(1) of the District Boards Act, and took no action on the report of the committee.

***32. Thakur Har Prasad Singh:** (a) Did the Government ask the district magistrate of Banda to give his report on the working of the district board, Banda, after making an inquiry? If so, has the district magistrate submitted his report? If the answer to the latter portion of the question be in the affirmative, will the Government be pleased to put that report on the table?

(b) Do Government intend to get an inquiry made through official agency as to how many schools and pounds under the control of district board, Banda, have not been repaired this year?

(c) Did the district magistrate and all the deputy magistrates attend two meetings of the district board, Banda, in connexion with the re-transfer of pacca roads to Public Works department? If so, did they find any member in those meetings? If yes, how many in each meeting?

(d) Is it a fact that the chairman, district board, Banda, holds markets on the *pattis* of district board roads in Naraini town and appropriates its income? If so, what action has the board taken in the matter?

The Hon'ble Nawab Muhammad Yusuf : (a) (i) Government asked for a report from the commissioner, which has been received.

(ii) The report is still under consideration.

(b) The proposal will be considered.

(c) Yes. There were only two members present in the first meeting and three in the second meeting.

(d) The answer to the first part is in the negative. The second part does not arise.

***33. Thakur Har Prasad Singh :** (a) Is it a fact that the district board, Banda, has made reductions in the pay of vaidyas in the employment of the board? If so, why?

(b) Has the post of scout-master been abolished by the board? If so, why?

(c) Has the board resolved to pay Rs. 100 monthly to its senior vice-chairman as travelling allowance?

(d) What are the names of the contractors to whom contracts have been given by the board within the last six months?

(e) Is it a fact that a relation of Pandit Piare Lal has got the majority of contracts?

(f) Was the Rajapur ferry ghat auctioned by Pandit Ram Dayal, secretary, at about Rs. 4,700 but the chairman did not confirm it? Is the said ghat now auctioned for Rs. 3,800?

The Hon'ble Nawab Muhammad Yusuf : (a) Yes, for financial reasons.

(b) Yes, on the report of the Deputy Inspector of Schools.

(c) No.

(d) A list of the contractors is placed on the table.

(e) Government have no information.

(f) No. The ghat was auctioned by Pandit Alopi Din, the new secretary, for Rs. 5,150.

(See Appendix G, page 153.)

***34 Thakur Har Prasad Singh :** Does the Government propose to take any action against the district board of Banda or its chairman?

The Hon'ble Nawab Muhammad Yusuf : The matter is under consideration.

CART ROAD BETWEEN KATHGODAM AND RANIKHET.

***35 and *36. Pandit Badri Dutt Pande :** What is the amount of money spent annually on the cart road between Kathgodam and Ranikhet for the last five years, especially on Am Parao and Brewery sections?

How much damage has been done to this cart road and the district board roads in the Naini Tal district during the recent heavy rains of August?

The Hon'ble Nawab Muhammad Yusuf : Statements are laid on the honourable member's table.

(See Appendix H, page 154.)

***37. Pandit Badri Dutt Pande :** How much is Government going to contribute for these repairs—

- (1) to district board of Naini Tal,
- (2) to Public Works department?

The Hon'ble Nawab Muhammad Yusuf : The special repair estimates are under preparation and the question of the allotment of funds for provincial roads and of the contribution to the district board, Naini Tal, will be considered after the estimates have been sanctioned.

MAINTENANCE ALLOWANCE TO THE ASKOT FAMILY.

***38. Pandit Badri Dutt Pande :** (a) Did K. Narendra Singh Pal, K. Randhir Singh Pal, K. Katak Singh Pal, K. Goberdhan Singh Pal, K. Mukand Singh Pal, K. Indra Singh Pal, K. Madan Singh and K. Krishna Pal, and other junior members of the Askot family apply to the Deputy Commissioner, Almora, and the Commissioner, Kumaun division, that they are not receiving their maintenance allowance in accordance with their settlement rights and that they have not even land enough to maintain themselves for two months and that they are in a very destitute condition?

(b) If so, what action was taken by the Government?

(c) Will the Government be pleased to make inquiries and redress their grievances?

The Hon'ble Sir Sam O'Donnell : (a) Yes.

(b) and (c) Government are satisfied that the provision which the Rajwar is making for his relatives is as large as his resources permit. They do not, therefore, propose to take any action.

Pandit Badri Dutt Pande : Does Government know that as late as November 16 these members whose names are written here applied to the Deputy Commissioner in person at Jarjeri that they were not receiving any maintenance?

The Hon'ble Sir Sam O'Donnell : Yes, they did make a representation. We made inquiries and the Commissioner's report is as I have stated in the reply.

Pandit Badri Dutt Pande : What I said was—Does Government know that these persons applied as late as November 16 to the Deputy Commissioner, Mr. Ruttledge, in person at Jarjeri which is near Askot that no maintenance allowance was being given to them?

The Hon'ble Sir Sam O'Donnell : I do not know when they made a representation to the Deputy Commissioner, but I have already said in answer to question No. 38(a) that they did apply to the Deputy Commissioner.

Pandit Badri Dutt Pande : The point is whether they are getting any maintenance allowance or not?

The Hon'ble Sir Sam O'Donnell : I understand from the Commissioner that the provision is as large as the Rajwar can make for them.

Pandit Badri Dutt Pande : Is it the intention of the Government to make inquiries?

The Hon'ble Sir Sam O'Donnell : I have made inquiries; the Commissioner has inquired and that is what he reports.

PATWADANGAR DÉPÔT.

***39. Pandit Badri Dutt Pande :** With reference to Council question No. 113 of June 20, 1927, will the Government be pleased to state the number of European as well as Indian residents at Patwadangar for whom it is necessary for the Government to incur expenditure on—(1) dairy, (2) poultry farm, and (3) garden?

The Hon'ble Rai Rajeshwar Bali : The produce of the dairy, poultry farm, and garden at Patwadangar are consumed by—

(a) the medical officer in charge, with his family, for above five weeks in the year;

(b) the European superintendent and his family during the whole year; and in the case of the dairy produce it is also supplied to approximately 50 Indian residents during the year.

***40. Pandit Badri Dutt Pande :** (i) Will the Government be pleased to lay a copy of the audit note of Patwadangar for 1925-26 on the table?

(ii) Is the audit note for 1926-27 ready? If so, will a copy of that be also laid on the table?

The Hon'ble Rai Rajeshwar Bali : The audit note for 1925-26 is still in the preliminary stage. The explanations submitted by the superintendent of the dépôt to the various objections raised by the auditors have not yet been considered by them. It will serve no useful purpose to lay a copy of the preliminary audit note on the table.

(ii) No audit note for 1926-27 has so far been received.

***41. Pandit Badri Dutt Pande :** How many maunds of wheat were devoured by mice in Patwadangar during 1925-26?

The Hon'ble Rai Rajeshwar Bali : Rats obtained access to a godown containing 1,500 maunds, with the result that 48 maunds at the bottom became unfit for consumption and had to be thrown away. Since the construction of a rat-proof godown there has been no loss.

Mr. Mukandi Lal : Were the rats two-legged animals or four-legged ones?

The Hon'ble the President : The honourable member may put the question in a better form than that.

Mr. Mukandi Lal : I want to know whether the animals which ate up the 48 maunds were bipeds or quadrupeds.

Pandit Badri Dutt Pande : When will the audit note referred to be given to the honourable members?

The Hon'ble Rai Rajeshwar Bali : I cannot say that, but I hope that it would be available when the objections have been replied to by the superintendent.

Pandit Badri Dutt Pande : Is any annual report of the Patwadangar lymph dépôt published for general information?

The Hon'ble Rai Rajeshwar Bali : No, it is not.

Pandit Badri Dutt Pande : Will the Government consider the advisability of publishing one?

The Hon'ble Rai Rajeshwar Bali : I will consider it.

THE "ABHAYA" AND SWAMI VICHARANAND SARASWATI.

*42. **Thakur Manjit Singh Rathor** (*asked by Pandit Bhagwat Narayan Bhargava in the absence of the questioner*): Will the Government be pleased to state the name of the (1) printer, (2) publisher, (3) editor, and (4) proprietor of the Vernacular paper *Abhaya*?

The Hon'ble Sir Sam O'Donnell: The *Abhaya* of Dehra Dun ceased publication in 1925. Swami Vicharanand was its publisher before it ceased publication.

*43. **Thakur Manjit Singh Rathor** (*asked by Pandit Bhagwat Narayan Bhargava in the absence of the questioner*): Is the Government aware that a man personating the editor and proprietor of the *Abhaya*, Dehra Dun, and describing himself as Swami Vicharanand Saraswati stayed and worked at Bareilly for about three months during and previous to the recent *Muharram* riots?

The Hon'ble Sir Sam O'Donnell: A Swami Vicharanand stayed at Bareilly and appears to have been mistaken by many persons for the Dehra Dun Swami.

Pandit Bhagwat Narayan Bhargava: May I know if the Government made any inquiries about the identity of this person who personated as Vicharanand and addressed several meetings at Bareilly?

The Hon'ble Sir Sam O'Donnell: I have already stated that we did make inquiries from the local authorities and I have given the result of those inquiries.

Pandit Badri Dutt Pande: Was he employed by the Criminal Investigation department?

The Hon'ble Sir Sam O'Donnell: No, certainly not.

Pandit Badri Dutt Pande: Was he in any way financed by the Government?

The Hon'ble Sir Sam O'Donnell: Not in the least. Until this question came in, we had nothing whatever to do with him.

*44. **Thakur Manjit Singh Rathor** (*asked by Pandit Bhagwat Narayan Bhargava in the absence of the questioner*): (a) Is it a fact that the impostor addressed a number of Hindu meetings and instigated Hindus generally and (b) that he was found and proved to be a Muhammadan?

The Hon'ble Sir Sam O'Donnell: (a) He addressed some meetings, but his speeches were not provocative.

(b) No.

*45. **Thakur Manjit Singh Rathor** (*asked by Pandit Bhagwat Narayan Bhargava in the absence of the questioner*): Is it a fact that the matter was reported to the Bareilly police?

The Hon'ble Sir Sam O'Donnell: Yes.

*46. **Thakur Manjit Singh Rathor** (*asked by Pandit Bhagwat Narayan Bhargava in the absence of the questioner*): Is it a fact that the legal adviser of Swami Vicharanand Saraswati approached the Bareilly authorities to take legal action against the fraudulent communal agitator?

The Hon'ble Sir Sam O'Donnell: A letter purporting to come from the legal adviser of the Dehra Dun Swami was received by the superintendent of police after the other Swami had already left Bareilly.

*47. **Thakur Manjit Singh Rathor** (*asked by Pandit Bhagwat Narayan Bhargava in the absence of the questioner*): Will the Government be pleased to state what action was taken in the matter?

The Hon'ble Sir Sam O'Donnell: No action was taken.

HINDU TAHSILDAR AT SADAR TAHSIL, BAREILLY.

*48. **Pandit Rahas Bihari Tiwari**: (i) Is it a fact that the tahsildar of Bareilly has for more than thirty years been invariably a Muhammadan?

(ii) Since starred question No. 31 was answered on December 12, 1922, did the Commissioner of Rohilkhand division make any attempt to find a Hindu for the post?

(iii) Is it a fact that the office has since fallen vacant twice, first in 1922 and again in 1925 and that, on both occasions, representations by an ex-member of this Council were made to Mr. A. W. McNair, the then Commissioner of Rohilkhand division, to appoint a Hindu tahsildar and that notwithstanding no Hindu was appointed to the vacancy?

The Hon'ble Sir Sam O'Donnell: (i) Yes.

(ii) The Commissioner considered the matter, but did not find a Hindu tahsildar as well suited to the needs of the tahsil as the Muslim whom he posted there.

(iii) Yes.

Babu Ohhail Bihari Capoor: In what respects are the needs of Bareilly different from the needs of other tahsils?

The Hon'ble Sir Sam O'Donnell: That is a matter of opinion rather than a question of fact.

Babu Ohhail Bihari Capoor: What is the opinion of the Government?

The Hon'ble the President: The opinion cannot be asked for under the Standing Orders.

MUHARRAM DISTURBANCES AT BAREILLY.

*49. **Pandit Rahas Bihari Tiwari**: (a) What is the official estimate of the Hindus who were injured during the last *Muharram* disturbances at Bareilly?

(b) (i) How many of them were examined at the district hospital at Bareilly?

(ii) How many of them were reported as having received grievous injuries?

(c) (i) How many Muhammadans were prosecuted by the police for grievously injuring Hindus?

(ii) How many of them were convicted, and what sentences did they receive?

The Hon'ble Sir Sam O'Donnell: As a resolution dealing with the Bareilly *Muharram* riots has been tabled for discussion on December 20, Government do not propose to make any statement at present.

COMMITTEE ON HINDU ENDOWMENTS.

*50. **Rai Bahadur Lala Mathura Prasad Mehrotra**: Will the Hon'ble Minister for Education be pleased to state the exact time which

he will further take to appoint the promised committee on Hindu endowments?

The Hon'ble Rai Rajeshwar Bali : The committee shall be appointed as soon as the money has been voted by the Legislative Council.

Rai Bahadur Lala Mathura Prasad Mehrotra : Are we to understand that it has not been appointed yet?

The Hon'ble Rai Bajeshwar Bali : No. We are asking for the money for this committee today?

JAIL VISITORS.

***51. Rai Bahadur Lala Mathura Prasad Mehrotra :** (a) With reference to the resolution, dated October 27, 1922, will the Government be pleased to state the places where they have not yet appointed members of the Council elected by the cities or residing therein as visitors of jails and what are the reasons for the same?

(b) Is it a fact that the member representing Lucknow city has not been appointed visitor of the Central Jail, Lucknow?

(c) If so, what are the reasons?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) The information has been called for but is not yet complete.

(b) No.

(c) Does not arise.

DEPRESSED CLASS MEMBERS IN PANCHAYATS.

***52. Babu Rama Charana :** (1) With reference to the statement laid on the table in reply to my starred question No. 101 of June 20, 1927, will the Government be pleased—

(a) to state why there is no member belonging to the depressed classes in any of the village *panchayats* of the following districts:—

(1) Meerut with	46	<i>panchayats</i> .
(2) Bulandshahr with	68	"
(3) Cawnpore	69	"
(4) Ghazipur	31	"
(5) Garhwal	29	"

(b) to state what is the reason for the paucity of members belonging to the depressed classes in the village *panchayats* of the following districts:—

Aligarh 3	<i>panches</i> in	81	<i>panchayats</i> .
Muttra 8	"	21	"
Mainpuri 13	"	46	"
Etah 11	"	54	"
Bareilly 17	"	128	"
Budaun 12	"	118	"
Moradabad 6	"	63	"
Pilibhit 5	"	15	"
Farrukhabad 16	"	172	"
Mirzapur 22	"	94	"
Azamgarh 10	"	91	"

Naini Tal 1 <i>panch</i>	in 19 <i>panchayats</i> .
Almora 1 "	48 "
Rae Bareilly 2 <i>panches</i>	50 "
Sitapur 8 "	132 "
Hardoi 4 "	68 "
Kheri 8 "	43 "
Partabgarh 6 "	102 "
Bara Banki	...

(2) Do Government intend to make up this deficiency ?

The Hon'ble Nawab Muhammad Yusuf: (1) Under rule 6 of the *Panchayat* Rules, *panches* are appointed after ascertaining the wishes of persons inhabiting the circle. Members of depressed classes have been appointed wherever they were available and their appointment was supported by public opinion.

(2) An effort will be made to increase their number wherever possible.

DEPRESSED CLASS SANITARY INSPECTORS AND CONSERVANCY JAMADARS.

*53. **Babu Rama Charana:** Will the Government be pleased to state how many sanitary inspectors and conservancy jamadars are there in the different district and municipal boards of these provinces and how many of them belong to the depressed classes?

The Hon'ble Rai Rajeshwar Bali: The figures are not available, nor in the opinion of the Government would any useful purpose be served by the collection of these figures.

*54. **Babu Rama Charana:** What is the reason for the paucity of sanitary inspectors and conservancy jamadars belonging to the depressed classes in the local bodies of these provinces?

The Hon'ble Rai Bajeshwar Bali: The appointment of jamadars is made by the boards concerned. The most suitable men are selected for training as sanitary inspectors and out of the people thus trained, the boards make appointments. If the honourable member is interested in getting more men of his class employed, he should approach the local bodies for such purpose.

HARDON DEPRESSED CLASS SCHOOL, FATEHPUR.

*55. **Babu Rama Charana:** Is it a fact that Hardon depressed class school of Fatehpur with one scholar is under the supervision of a Thakur supervisor?

The Hon'ble Rai Bajeshwar Bali: Yes: the number of scholars belonging to the depressed classes is five.

REPRESENTATION OF DEPRESSED CLASSES ON LOCAL BOARDS OF THE BENARES AND ROHILKHAND DIVISIONS.

*56. **Babu Rama Charana:** With reference to the answer to my starred question No. 35 of June 22, 1927, will the Hon'ble the Minister for Local Self-Government be pleased to state who are the nominated members in the different municipal boards of the Benares division?

*57. **Babu Rama Charana** : Will the Hon'ble the Minister for Local Self-Government be pleased to state—

- (a) what special interest did the Indian Christians and others appointed to represent the depressed classes in the boards, except one of the Rohilkhand and Benares divisions, exhibit which led the Government to nominate them in preference to many candidates belonging to the depressed classes themselves ;
- (b) why was no representation given to the depressed classes in all the districts of the Benares and Rohilkhand divisions ;
- (c) who are the nominated members in all the district boards of Benares and Rohilkhand divisions and what castes do they belong to ?

The Hon'ble Nawab Muhammad Yusuf : The information is not yet complete. A reply will be given at a later date.

DEPRESSED CLASS NOMINATED MEMBERS IN DISTRICT AND MUNICIPAL BOARDS, BAHRAICH.

*58. **Babu Rama Charana** : Is it a fact that there never has been a depressed class nominated member in either the district or the municipal board of Bahraich ? If so, will the Government be pleased to state the reason therefor ?

The Hon'ble Nawab Muhammad Yusuf : The information is not yet complete. A reply will be given at a later date.

REPRESENTATION OF DEPRESSED CLASSES IN PANCHAYATS OF KUMAUN DIVISION.

*59. **Babu Rama Charana** : With reference to the statement furnished in answer to my starred question No. 101 of June 20, 1927, will the Government be pleased to state why no member of the depressed classes has been admitted into any of the village *panchayats* in the Kumaun division ?

The Hon'ble Nawab Muhammad Yusuf : Seven of the members of the village *panchayats* in the Kumaun division belong to depressed classes. They have not a larger representation as in the hill patts of the Naini Tal district ; they do not desire to be appointed as *panches* and in the Almora district very few of them are available and the caste feeling is very strong. In certain villages of the Garhwal district members of depressed classes were actually selected as *panches* but declined to serve.

*60. **Babu Rama Charana** : How many *panchayats* are there in each of the districts of the Kumaun division ?

The Hon'ble Nawab Muhammad Yusuf :	Naini Tal	...	21
	Almora	...	51
	Garhwal	...	37

*61. **Babu Rama Charana** : Do Government intend to arrange for representation of the depressed classes in the *panchayats* of the Kumaun division ?

The Hon'ble Nawab Muhammad Yusuf : The honourable member is referred to the answer to starred question No. 52 of today's date.

HINDU TAHSILDAR IN BAREILLY.

*62. **Babu Uma Shankar** : Will the Government be pleased to state for how many years there have been Muslim tahsildars in Bareilly ?

The Hon'ble Sir Sam O'Donnell: For more than 30 years.

***63. Babu Uma Shankar:** Will the Government be pleased to say why no Hindu tahsildar has been posted to Bareilly?

The Hon'ble Sir Sam O'Donnell: The honourable member is referred to the answer given to question No. 48 (ii) today.

***64. Babu Uma Shankar:** Will the Government be pleased to consider the advisability of posting a Hindu tahsildar in Bareilly city in future? If not, why not?

The Hon'ble Sir Sam O'Donnell: Government have drawn the Commissioner's attention to the matter.

COMPLAINT AGAINST FERRY CONTRACTORS IN MEERUT.

***65. Chaudhri Vijai Pal Singh:** Is it a fact that several complaints against ferry contractors in Meerut district for dishonesty in extorting unauthorized fees from passengers have been made to the District Magistrate and the chairman, district board, Meerut? Will the Government be pleased to state what action, if any, they have taken on those complaints?

***66.** Has the Commissioner of Meerut division made any rules under section 12 of the Northern India Ferries Act of 1928? If the answer to the question be in the negative, is it the intention of the Government to issue instructions to the said Commissioner to make rules under section 12 of the Northern India Ferries Act of 1928?

The Hon'ble Nawab Muhammad Yusuf: Inquiries are being made and a reply will be given at a later date.

Chaudhri Vijai Pal Singh: Will the Hon'ble the Minister let us know the time when the inquiries will be completed?

The Hon'ble Nawab Muhammad Yusuf: The information has been received. It has not yet been printed.

KAKORI PRISONERS.

***67. Chaudhri Dharamvir Singh:** Will the Government be pleased to give a complete list of all the Kakori case prisoners together with the following information in the case of each:—

- (1) the period of his sentence;
- (2) the name of the jail in which he was confined just after his conviction;
- (3) the name of the jail in which he is at present (August, 1927) confined;
- (4) his weight at the time he was arrested;
- (5) his weight at the time of his conviction;
- (6) his weight at present (August, 1927);
- (7) the number of days he has been on hunger-strikes, if any, and the cause for such strikes;
- (8) the steps, if any, taken by the Government to remove the causes which forced him to go on hunger-strike; and

(9) the number of times he was down with illness since his arrest and the number of days he was each time ill and the nature of his illness?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (1) to (7) and (9) Statements have been prepared which are available for inspection by the honourable member on reference to the Judicial Secretary to Government. Copies will be sent to the honourable member later,

(3) The convicts resorted to concerted hunger-strike with the object of forcing Government to give them concessions contrary to the rules. No steps except medical attention were called for or taken.

Chaudhri Vijai Pal Singh : Will the Hon'ble the Home Member let us know why the statements are not available for the inspection of all the members?

The Hon'ble the President : The copies will be sent to honourable members.

Chaudhri Vijai Pal Singh : No, Sir. They will only be sent to the member concerned.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : If the honourable member is desirous of seeing the statement it can be inspected at the Judicial Secretary's office. There is nothing secret.

Chaudhri Vijai Pal Singh : Our point is that copies may be sent to all the members.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It will take a long time, but we can circulate to all the members.

*68. **Chaudhri Dharamvir Singh :** [*Postponed at the request of Government till the meeting of the Council on December 21, 1927.*]

ALLAHABAD TRAINING COLLEGE.

*69. **Dr. Shafa'at Ahmad Khan** (*asked by Pandit Iqbal Narayan Gurtu in the absence of the questioner*): Will the Government be pleased to say if they have arrived at any decision with regard to the status of the Allahabad Training College?

The Hon'ble Rai Rajeshwar Bali : Not yet.

Pandit Iqbal Narayan Gurtu : Is it within the recollection of the Hon'ble the Minister that, in March last, during the budget debate, he promised that he would give the matter his early consideration?

The Hon'ble Rai Rajeshwar Bali : Yes.

Pandit Iqbal Narayan Gurtu : How far has the matter made any progress?

The Hon'ble Rai Rajeshwar Bali : It is difficult to say how far the matter has progressed, but we are doing our best to expedite it.

Pandit Iqbal Narayan Gurtu : Has it progressed at all?

The Hon'ble the President : That may be a matter of opinion.

KING GEORGE'S MEDICAL COLLEGE, LUCKNOW.

*70. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a copy of the report of the representative of the British

Medical Association who inspected King George's Medical College, Lucknow ?

*71. (a) Is it a fact that the college has been granted only temporary recognition for one year by the association ?

(b) If so, what measures do the Government intend to take to make this recognition permanent ?

The Hon'ble Rai Rajeshwar Bali : A reply will be given at a later date.

ARMS LICENCES TO CERTAIN VAISHES OF SURIR, DISTRICT MUTTRA.

*72. **Thakur Hukum Singh :** Will the Government kindly state if the following are facts :—

(a) The licences for arms of Lala Khub Chandi, Lala Nain Sukh, and Lala Basdeo, *vaishes* of Surir, police station Surir, district Muttra, have been cancelled on November 12, 1926.

(b) (i) All these three persons pay income-tax (ii) and are landlords.

(c) The first time they knew of the order was when the arms were taken from them by the police, i.e., the district magistrate did not call upon them to show cause.

(d) The district magistrate in his order did not give any reason for cancellation of arms.

(e) The district magistrate was bound to give reasons under section 18(a) of the Arms Act.

(f) (1) The licensees applied for inspection of the records on November 23, 1926, (2) but the application was rejected on December 3, 1926, without giving any reason.

(g) Thereupon the licensees preferred an appeal before the Commissioner, Agra, who also did not allow inspection of the records and without hearing the appellants or calling upon them to represent their case dismissed the appeals.

(h) The licensees have now submitted a memorial to the Government.

(i) What is the result of the said memorial ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) (1) Government have no information.

(2) Yes.

(c), (d) and (e) Yes.

(f) (1) Only one licensee applied.

(2) Yes.

(g) An application for inspection of papers was presented to the Commissioner who called for a report from the district officer (Mr. Dible) and on receipt of the report and after inspection of the records, he dismissed the appeal summarily.

(h) Yes.

(i) The memorial was rejected after inquiry had been made from the Commissioner.

Thakur Hukum Singh : With regard to (c), (d) and (e) will the Government be pleased to mention the reasons for the cancellation of the licences and whether the action of the district magistrate was correct ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As we have said in our reply, the action of the district magistrate was irregular in so far as he gave no reason for cancelling the licences, but no injustice was done, because when an appeal was made to the Commissioner, another district magistrate had come into the place and he investigated the matter and came to the same conclusion. Therefore I think full justice was done.

Thakur Hukum Singh : With regard to (f) (2) does the Government approve of the action of the district magistrate ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I have already said that his not giving a reason was irregular, but as far as the action was concerned, it was justified by his successor also.

Thakur Hukum Singh : With regard to question (h) does the Government approve of the action of the Commissioner ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

Thakur Hukum Singh : With regard to question (i) will Government kindly mention the reasons on which the memorial was rejected ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We have said we made an investigation through the Commissioner and we came to the conclusion that we agreed with the action of the Commissioner and the district magistrate.

Thakur Hukum Singh : Will the Government give a chance to the licensees to give their explanation regarding their charges ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : To whom are they to give an explanation ?

Thakur Hukum Singh : Will the Government give a chance to them to give their explanation regarding their charges before the magistrate ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think the magistrate has already made an inquiry and they must have given some explanation before him already.

Babu Uma Shankar : Were the licensees given an opportunity to show cause why their licences should not be cancelled ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not know for certain about that point.

Babu Uma Shankar : Was the order of the district magistrate arbitrary ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No. It was not an arbitrary order. The cases were looked into by two different district magistrates and they both came to the same conclusion.

Mr. Mukandi Lal : Did the Government inquire into the status and respectability of the licensees ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We satisfied ourselves before we rejected the memorial.

Lala Nemi Saran : Will the Government give reason why the licences were rejected ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I understand that both the district magistrates were of opinion that as there was high party feeling in the village it would be best not to renew the licences.

Mr. A. P. Dube : Is it a fact that the whole of the proceedings were conducted without giving them an opportunity to see the file ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware of this.

Lala Nemi Saran : Was the action of the district magistrate justified in refusing the application to inspect the file ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I cannot say whether he refused it.

Mr. A. P. Dube : Is not the whole thing contrary to natural justice ?

Lala Nemi Saran : In reply to the question it was stated that an application for inspection of papers was presented to the Commissioner, who called for report from the district magistrate (Mr. Dible), and on receipt of the report and after inspection of the records the application was rejected on December 3 without giving any reasons. I want to ask the Hon'ble the Home Member whether the Collector was justified in refusing an application like this ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As regards not giving reasons, I have already said that it was irregular on the part of the Collector not to give reasons.

Mr. Mukandi Lal : Does the Government propose to supply copies of the reasons as to why the licences were rejected ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

FAILURE OF MUKHIAS AND PATWARIS IN MUTTRA TO REPORT ARYA SAMAJ MEETINGS.

***73. Thakur Hukum Singh :** Will the Government kindly state with regard to the Muttra district—

(a) how many mukhias have been removed from headmanship for failure to report the Arya Samaj meetings ;

(b) how many patwaris have been fined for failure to report the Arya Samaj meetings and under what law ?

The Hon'ble Sir Sam O'Donnell : (a) One.

(b) Two ; paragraphs 13 and 22 (3) of the Land Records Manual.

Pandit Bhagwat Narayan Bhargava : Is it the duty of the mukhia to report about all sorts of meetings, or only religious meetings ?

The Hon'ble Sir Sam O'Donnell : No, any meeting which may possibly give rise to a disturbance should be reported by the mukhia.

Pandit Bhagwat Narayan Bhargava : Were the mukhias told the number of persons who should assemble at a particular meeting about which they should make a report ?

The Hon'ble Sir Sam O'Donnell : No, there is no number specified.

Pandit Bhagwat Narayan Bhargava : Am I to understand that even if five Arya Samajists assemble at a particular place they should make a report ?

The Hon'ble Sir Sam O'Donnell : No, that is rather like the question "When is a heap a heap?"

Mr. C. Y. Chintamani : Are they required to report all meetings or only Arya Samaj meetings?

The Hon'ble Sir Sam O'Donnell : Any meeting which is likely to cause a disturbance.

Mr. C. Y. Chintamani : Was it presumed that any Arya Samaj meeting was *ipso facto* likely to cause a disturbance?

The Hon'ble Sir Sam O'Donnell : I think in the particular circumstances there was a possibility.

Mr. C. Y. Chintamani : Was there actually a disturbance?

The Hon'ble Sir Sam O'Donnell : I do not think so.

Mr. C. Y. Chintamani : Was any mukhia fined for not reporting any other kind of meeting?

The Hon'ble Sir Sam O'Donnell : No such case has been reported to me.

Babu Chhail Bihari Capoor : What are the particular circumstances to which the honourable member referred?

The Hon'ble Sir Sam O'Donnell : The condition of the district.

Babu Chhail Bihari Capoor : What are those conditions?

The Hon'ble Sir Sam O'Donnell : I cannot say. I think when there is tension.

Babu Bhagwat Narayan Bhargava : May I know the principles on which the Government have framed the rules asking patwaris to make reports of meetings?

The Hon'ble Sir Sam O'Donnell : The honourable member will find it in the Revenue Manual.

Babu Bhagwat Narayan Bhargava : Yes, the rule is there; but I want to know the principle on which the rule is framed?

The Hon'ble Sir Sam O'Donnell : This is a very old rule. It is there in existence for generations, I think.

Mr. C. Y. Chintamani : Are there any instructions issued to these mukhias or patwaris to regard every Arya Samaj meeting as a possible source of disturbance to peace?

The Hon'ble Sir Sam O'Donnell : I do not think so.

Babu Bhagwat Narayan Bhargava : Does the Government rely on the discretion of these patwaris and mukhias to consider whether a meeting is likely to cause disturbance or not?

The Hon'ble Sir Sam O'Donnell : They are presumed to exercise their discretion in a reasonable way.

Babu Bhagwat Narayan Bhargava : Does the Government punish these men for exercising their discretion wrongly?

The Hon'ble Sir Sam O'Donnell : Every case is dealt with on its merits.

GRANTS OF LAND TO EUROPEANS IN RAMGARH, NAINI TAL.

*74. **Pandit Badri Dutt Pande**: (1) Is there an Act, rule or executive order that no more land will be given to Europeans in the Ramgarh hill in the Naini Tal district?

(2) If so, when was that Act, rule or order passed?

The Hon'ble Sir Sam O'Donnell: (1) There is no Act, rule or order that no more land would be given to Europeans in Ramgarh, but as this area is included in the Naini Tal fuel-supply area, it was decided that no grants could be given to anyone until the question of the fuel-supply is settled with the working plans officer.

(2) Does not arise.

*75. **Pandit Badri Dutt Pande**: Will the Government be pleased to give a statement showing the area of land given to European settlers in Ramgarh, the date when it was given, and the name of the incumbent to whom it was given?

The Hon'ble Sir Sam O'Donnell: A statement giving the information so far as is available is laid on the honourable member's table.

(See Appendix I, page 155.)

FREE-SIMPLE ESTATES IN KUMAUN.

*76. **Pandit Badri Dutt Pande**: Will the Government be pleased to give a list of all free-simple estates in the Kumaun division, if possible, the names of the present incumbents holding them, the area, the original value, and also the cess these estates have to pay at present?

The Hon'ble Sir Sam O'Donnell: A statement giving the information so far as is available is laid on the honourable member's table.

(See Appendix J, page 156.)

ARMED AND MOUNTED POLICE IN UNITED PROVINCES.

*77. **Khan Bahadur Hafiz Hidayat Husain**: How many armed and mounted police are there in these provinces?

What will be the total strength of this force after the addition provided for in the supplementary estimates passed by the Council in June last has been made?

What is the distribution districtwise of this force? How many of these are Muslims and how many Hindus?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The strength of the armed and mounted police in these provinces before the addition provided for in the supplementary estimates passed by the Council in June last was 7,810.

The total strength of the armed police after this addition will be 8,653.

A statement showing the revised distribution of the force by districts is placed on the honourable member's table. At present 2,598 of the armed and mounted police are Muslims, and 5,656 are Hindus.

(See Appendix K, page 160.)

DAMAGE BY FLOODS IN KUMAUN.

*78. **Mr. Mukandi Lal** : Will the Government be pleased to state the number of (a) human beings and (b) cattle that were drowned in or carried away by the flood of August 23, 1927 in each of the districts of Kumaun, viz., Almora, Garhwal and Naini Tal ?

The Hon'ble Sir Sam O'Donnell : (a) The number of human beings drowned or carried away by the August flood is reported to be as follows—

Naini Tal district	..	..	..	..	12
Almora district	..	..	..	..	8
Garhwal district	..	..	..	..	9

(b) The number of cattle reported to be drowned or carried away by the flood is—

Naini Tal district	..	..	..	..	18
Almora district	..	..	..	..	44
Garhwal district	..	..	..	..	120

*79. **Mr. Mukandi Lal** : How much damage was caused to (a) land and (b) property of the people and (c) to the district board and (d) Public Works department roads by the same flood ?

The Hon'ble Sir Sam O'Donnell : (a) and (b) The damage was not extensive.

(c) The estimates are—

			Rs.
Naini Tal district	..	..	98,000
Almora district	..	..	84,000 Approximately.
Garhwal district	..	..	5,00,000 (Including damage to bridges.)

(d) The estimates are—

			Rs.
Naini Tal district	..	..	5,67,000
Almora district	..	..	49,800
Garhwal district	..	..	4,00,000

*80. **Mr. Mukandi Lal** : Has the Government assisted the sufferers in any way ?

The Hon'ble Sir Sam O'Donnell : Taqavi, remission of rent or exclusion from assessment to revenue will be given wherever it is considered necessary.

WATER-SUPPLY AT KOTDWARA.

*81. **Mr. Mukandi Lal** : What arrangements are being made and when are they likely to be made regarding supply of pure water at Kotdwara ?

The Hon'ble Rai Rajeshwar Bali : The honourable member is referred to the answer to starred Council question No. 197 of November 1, 1927. It is not possible to say when the arrangements for a pure water-supply will be complete.

Mr. Mukandi Lal : When was the question of water-supply first taken in hand ?

The Hon'ble Rai Rajeshwar Bali : I ask for notice.

Mr. Mukandi Lal : Have Government made any provision in the next year's budget for the purpose ?

The Hon'ble Rai Rajeshwar Bali : Government have not yet received any complete scheme with regard to the supply of water in Kotdwara.

Mr. Mukandi Lal : Have Government received a scheme from the Commissioner of Kumaun and the Deputy Commissioner of Garhwal?

The Hon'ble Rai Rajeshwar Bali : Yes, we have received some information.

Mr. Mukandi Lal : Has a definite scheme been submitted by the officers concerned?

The Hon'ble Rai Rajeshwar Bali : I believe not so far.

VETERINARY HOSPITAL AT KOTDWARA.

*82. **Mr. Mukandi Lal :** When does the Government propose to open a veterinary hospital at Kotdwara?

The Hon'ble Sir Sam O'Donnell : As soon as funds become available.

Mr. Mukandi Lal : Has any provision been made in the next year's budget?

The Hon'ble Sir Sam O'Donnell : The budget for next year is not yet ready.

DISTRICT GAZETTE, BUDAUN.

*83. **Babu Bhagwati Sahai Bedar :** Referring to the reply given by the Government to a supplementary to question No. 66, dated January 27, 1927, of Khan Bahadur Maulvi Fasih-ud-din regarding Budaun District Gazette, will the Government be pleased to place on the table the names of the members and office-bearers of the committee, if any, which manages that Gazette, as well as the dates on which it met during the last two years?

(1) **The Hon'ble Sir Sam O'Donnell :** A statement is laid on the honourable member's table.

(2) The last meeting of the committee was in June, 1925."

(See Appendix L, page 161.)

*84. **Babu Bhagwati Sahai Bedar :** Referring to the reply of the Government to my supplementary to question No. 66, dated January 27, 1927, will the Government be pleased to state whether it is a fact that the Collectors of Aligarh and Budaun have issued orders to their subordinate courts for sending summonses and notices for publication to the District Gazettes?

The Hon'ble Sir Sam O'Donnell : The Collector of Aligarh did not issue an order, but when the Gazette was started he drew the attention of the courts to the facilities afforded by the Gazette for the publication of summonses and notices. The Collector of Budaun did issue such an order in 1926, but that order has since been revoked. Summonses and notices are now sent to both local newspapers.

Pandit Bhagwat Narayan Bhargava : May I know if the order was revoked by the district magistrate himself or at the instance of some superior officer?

The Hon'ble Sir Sam O'Donnell : The district magistrate himself cancelled it.

*85. **Babu Bhagwati Sahai Bedar**: Referring to the reply given by the Government to my supplementary to question No. 66, dated January 27, 1927, is it a fact that money of the Budaun *District Gazette* is kept by the Government treasurer and expended by cheques signed by a deputy collector?

The Hon'ble Sir Sam O'Donnell: Yes.

Pandit Bhagwat Narayan Bhargava: May I know under what financial rules and laws the Government controls the income of this *District Gazette*?

The Hon'ble Sir Sam O'Donnell: Government does not control the Gazette. It is controlled by a committee.

Pandit Bhagwat Narayan Bhargava: Under whose direction is the expenditure incurred?

The Hon'ble Sir Sam O'Donnell: Under the direction of the committee?

Pandit Bhagwat Narayan Bhargava: Who is the president of the committee?

The Hon'ble Sir Sam O'Donnell: This has already been answered in reply to question No. 83.

Babu Bhagwati Sahai Bedar: Where are the funds of this committee generally kept?

The Hon'ble Sir Sam O'Donnell: I have answered that also.

*86. **Babu Bhagwati Sahai Bedar**: Is the Government aware that a part of the income of the *District Gazette* of Budaun has been spent over the local Islamia mission institutions and female hospitals and over the Kachchri parks as well as the extension and repairs of tahsildar's quarters?

The Hon'ble Sir Sam O'Donnell: (1) Yes.

(2) Yes.

(3) Yes.

(4) No.

*87. **Babu Bhagwati Sahai Bedar**: Is the Government aware that the *District Gazette* of Budaun publishes editorial notes on political questions of controversial nature criticizing the policy of several political parties in the country, the suitability of Council and district board elections, and so on?

The Hon'ble Sir Sam O'Donnell: Government have not read the articles in the *District Gazette*, but understand that free translations of articles that appeared in the *Pioneer* and *Leader* on political questions were published in the Gazette.

Lala Nemi Saran: May I know if the Government approve of the Government servants taking part as directors or chairmen of committees controlling newspapers which publish political articles?

The Hon'ble Sir Sam O'Donnell: So long as these articles are not in the nature of political propaganda, I see no objection.

Lala Nemi Saran: Am I to understand that these articles did not relate to any political matter?

The Hon'ble Sir Sam O'Donnell : I am inclined to think that they were quite harmless.

*88. **Babu Bhagwati Sahai Bedar :** Is it a fact that the Budaun district board had applied for taking over the charge of the *District Gazette*, but the then Collector, Mr. M. H. B. Nethersole, insisted on keeping the Gazette under his own control?

The Hon'ble Sir Sam O'Donnell : Yes. Government understand that one of the grounds for refusal was that the Board had once refused to take over the Gazette.

Pandit Bhagwat Narayan Bhargava : Will the Government kindly state the reasons why the district board refused to take over the Gazette?

The Hon'ble Sir Sam O'Donnell : I do not know. I ask for notice.

Pandit Bhagwat Narayan Bhargava : Is it the practice or the policy of the Government not to give over charge of any work to anybody which has once refused to take over?

The Hon'ble Sir Sam O'Donnell : That is far too a general question.

*89. **Babu Bhagwati Sahai Bedar :** Is it a fact that two deputy collectors are allowed to do the work of the *District Gazette* in the Budaun district in their office time: one as managing editor and the other as publisher?

The Hon'ble Sir Sam O'Donnell : No.

*90. **Babu Bhagwati Sahai Bedar :** Is it a fact that in past years the summonses and notices of the district revenue courts of Budaun used to be published in other local papers in addition to the *District Gazette*, but in April, 1925 the Collector issued an order to stop this practice?

The Hon'ble Sir Sam O'Donnell : In past years summonses and notices of the district revenue courts of Budaun were published in a local paper, apart from the *District Gazette*. In April, 1926 the Collector ordered that summonses and notices should only be sent to the *District Gazette*, but that order has since been revoked.

Lala Nemi Saran : Is it not a fact that the majority of these summonses are being sent to the *District Gazette*?

The Hon'ble Sir Sam O'Donnell : I do not know, but what I understand from the order is that they are being sent to local papers.

*91. **Babu Bhagwati Sahai Bedar :** Is it a fact that in May, 1927 the Collector and Magistrate of Budaun rejected an application of a local paper asking for notices and summonses for publication on the ground that the income of the *District Gazette* would fall?

The Hon'ble Sir Sam O'Donnell : Yes.

*92. **Babu Bhagwati Sahai Bedar :** Is it a fact that a portion of Government building in the premises of the Collector's office is allotted for the Budaun *District Gazette* office and for a private press which has been given a contract for printing the Gazette? If so, what rent is charged for the building?

The Hon'ble Sir Sam O'Donnell : Two small rooms detached from the kutchery, which ceased to be used as a patwari school in 1923, are occupied by the *Budaun Gazette* office and by a branch of a private

press which has been given a contract for printing the Gazette. No rent is charged for the building.

Lala Nemi Saran : Why no rent is charged for the building ?

The Hon'ble Sir Sam O'Donnell : Because this Gazette does municipal work.

Lala Nemi Saran : May I understand that the Collector has taken the permission of the Government to give the building free of charge to this press ?

The Hon'ble Sir Sam O'Donnell : I do not think the matter has been referred to the Government.

Lala Nemi Saran : Was the Collector authorized to give part of the building free of charge to this press ?

The Hon'ble Sir Sam O'Donnell : I do not think any special order was issued.

Pandit Bhagwat Narayan Bhargava : Does the Hon'ble the Finance Member mean to say that any paper which does the municipal work . . .

The Hon'ble Sir Sam O'Donnell : What I meant was that it does useful work in the way of publishing matters of public importance such as agriculture, education, etc. That was the reason why.....

Pandit Bhagwat Narayan Bhargava : So that was a special favour to the *District Gazette* ?

The Hon'ble Sir Sam O'Donnell : To a certain extent it was a concession.

Lala Nemi Saran : Is it the intention of the Government now to issue orders that district magistrates should not take part in the directorate of or as chairman of committees controlling such papers ?

The Hon'ble Sir Sam O'Donnell : No, at present that is not the intention of the Government.

Pandit Bhagwat Narayan Bhargava : May I know the reasons for giving this special concession to that *District Gazette* ?

The Hon'ble Sir Sam O'Donnell : I have already stated them to the best of my ability.

INTRODUCTION OF HEALTH SCHEME.

*93. **Thakur Gulab Singh :** Will the Government be pleased to state the names of the districts in which the health scheme is to be introduced ?

The Hon'ble Rai Rajeshwar Bali : The health scheme has been introduced in 26 districts :—

Benares.
Ghazipur.
Jaunpur.
Mirzapur.
Ballia.
Gorakhpur.
Basti.
Azamgarh.
Fyzabad.

Sultanpur.
Partabgarh.
Gonda.
Bahraich.
Bara Banki.
Allahabad.
Bulandshahr.
Moradabad.
Lucknow.

Hardoi.
Kheri.
Sitapur.
Unao.
Rae Bareli.
Muzaffarnagar.
Muttra.
Fatehpur.

It is hoped in the near future, as funds become available, to introduce the health scheme in the following districts:—

Dehra Dun.	Mainpuri.	Shahjahanpur.
Saharanpur.	Etah.	Pilibhit.
Meerut.	Bareilly.	Farrukhabad.
Agra.	Bijnor.	Etawah.
Aligarh.	Budaun.	Cawnpore.

Raja Jagannath Bakhsh Singh : May I know on what grounds this selection is made ?

The Hon'ble Rai Rajeshwar Bali : We have taken up those districts first where cholera prevailed.

Raja Jagannath Bakhsh Singh : Have the Government any statistics or report on which they base their selection ?

The Hon'ble Rai Rajeshwar Bali : Yes, we have.

Raja Jagannath Bakhsh Singh : May I know the name of the book or the report that was the basis of this selection ?

The Hon'ble Rai Rajeshwar Bali : We know from experience that cholera rages most in eastern districts and now we are proceeding from east to west.

Raja Jagannath Bakhsh Singh : Was that experience gained from any papers ?

The Hon'ble Rai Rajeshwar Bali : Yes.

Raja Jagannath Bakhsh Singh : What is that ?

The Hon'ble Rai Rajeshwar Bali : If the honourable member will refer to the figures that are annually given in the report of the Director of Public Health, he will find that information.

Mr. Mukandi Lal : May I know why the districts of Almora, Garhwal and Naini Tal have been omitted from the list of districts where it is proposed to introduce the health scheme in the near future ?

The Hon'ble Rai Rajeshwar Bali : There cholera is not so furious.

Mr. Mukandi Lal : Is the Government aware that Almora had the highest mortality on account of cholera this year ?

The Hon'ble Rai Rajeshwar Bali : I shall look into the question.

Mr. Mukandi Lal : Is the Government aware that in the districts of Garhwal every year there is an epidemic of cholera and hundreds of people die of cholera ?

The Hon'ble Rai Rajeshwar Bali : That is only a special period and for that special period we depute a special officer.

Raja Jagannath Bakhsh Singh : Does the Government consider that the districts named in the second list are much better in matters of health than those named in the first list ?

The Hon'ble Rai Rajeshwar Bali : Yes.

Lala Nemi Saran : May I know whether the names of the districts as in the list are in order of priority ?

The Hon'ble Rai Rajeshwar Bali : No ; there is no order of priority.

REPRESENTATIVE OF THE DEPRESSED CLASSES IN DISTRICT BOARD,
BENARES.

*94. **Babu Sampurnanand** : Who is the present representative of the depressed classes in the Benares district board? When was he nominated? What was his record of work in connexion with the depressed classes previous to his nomination?

*95. Was no member of the depressed classes or any other person professing the same faith as the majority of those classes available for nomination?

The Hon'ble Nawab Muhammad Yusuf : A reply will be given at a later date.

VILLAGE RE-CONSTRUCTION.

*96. **Babu Sampurnanand** (*asked by Pandit Iqbal Narayan Gurtu in the absence of the questioner*) : Is Government aware that the Bengal Government has adopted the late Desh Bandhu C. R. Das's scheme for village re-construction and that the Development Minister of the Madras Government has also evolved a scheme in this connexion?

The Hon'ble Nawab Muhammad Yusuf : The Government have seen statements in the Press.

Pandit Iqbal Narayan Gurtu : Has Government given any consideration so far to the scheme of the late Mr. C. R. Das?

The Hon'ble Nawab Muhammad Yusuf : At present it is under consideration.

Pandit Iqbal Narayan Gurtu : This particular scheme of the late Mr. C. R. Das?

The Hon'ble Nawab Muhammad Yusuf : The particular subject of the scheme both as regards rural re-construction and public health.

Pandit Iqbal Narayan Gurtu : Will Government be pleased to give the scheme that was prepared by the late Mr. C. R. Das also its consideration?

The Hon'ble Nawab Muhammad Yusuf : That forms the basis of the scheme which is under consideration.

Mr. O. Y. Chintamani : With reference to the Hon'ble Minister's statement made just now that the subject of village re-construction is under consideration of the Government, may I inquire what are the various matters relating to the different sections of the scheme which are under consideration?

The Hon'ble Nawab Muhammad Yusuf : Re-constitution not re-construction.

Mr. O. Y. Chintamani : I heard the Hon'ble Minister to say that the subject of village re-construction was under consideration. I want to know what the Hon'ble Minister's answer was when he said that village re-construction was under consideration. What are the matters pertaining to village re-construction which are under consideration?

The Hon'ble Nawab Muhammad Yusuf : Re-organization concerning civic as well as economic conditions.

Mr. C. Y. Chintamani: Will the Hon'ble Minister be good enough to state in more concrete language what are the matters under consideration?

The Hon'ble Nawab Muhammad Yusuf: I must ask for notice.

Mr. C. Y. Chintamani: The Hon'ble Minister stated that he was considering the question of village re-constitution, am I to understand that the villages are to be re-constituted?

The Hon'ble Nawab Muhammad Yusuf: No. That is how the question is worded.

Raja Jagannath Bakhsh Singh: May I know what the Hon'ble Minister is considering, re-constitution or re-construction?

The Hon'ble the President: There seems to be some misunderstanding somewhere.

Mr. Mukandi Lal: When did Government take into consideration the re-construction of the villages?

The Hon'ble Nawab Muhammad Yusuf: Last year.

Mr. C. Y. Chintamani: Does the Hon'ble Minister want notice of a question asking his own ideas about his own answer?

The Hon'ble Nawab Muhammad Yusuf: I need not reply to this question.

Pandit Iqbal Narayan Gurtu: Am I to understand that the appointment of a committee to consider the question of re-construction, or re-constitution, whatever it may be, is a possibility?

The Hon'ble Nawab Muhammad Yusuf: No.

Pandit Iqbal Narayan Gurtu: Why?

The Hon'ble Nawab Muhammad Yusuf: I have already said that we are giving our serious thought to this scheme which has been given effect as an experimental measure in Madras and in Bengal so far as the Public Health scheme is concerned; so the whole question is under consideration.

Pandit Iqbal Narayan Gurtu: We have no doubt about the capacity of the Hon'ble Minister for considering the whole scheme, but my question is, why does the Hon'ble Minister not consider it necessary to appoint a committee to consider the scheme?

The Hon'ble Nawab Muhammad Yusuf: I will see to it. At present I am not in a position to say whether a committee is necessary or not.

Pandit Iqbal Narayan Gurtu: Will the Hon'ble Minister now give his serious consideration?

The Hon'ble Nawab Muhammad Yusuf: We are already doing so.

Mr. Mukandi Lal: Will the Government reconsider the question of the re-construction and the re-constitution of the villages?

The Hon'ble the President called the next question.

* 97. **Babu Sampurnanand** (*asked by Pandit Iqbal Narayan Gurtu in the absence of the questioner*): Does the Government intend to appoint a committee to prepare any such scheme for these provinces or has it any such comprehensive scheme under consideration?

The Hon'ble Nawab Muhammad Yusuf: The subject is under consideration.

KING-EMPEROR *versus* BALRAM PRASAD.

*98. **Babu Sampurnanand :** Is the Government aware that in King-Emperor *versus* Balram Prasad, the city magistrate of Benares has stated that the evidence of the municipal superintendent of education "creates a great suspicion that from the beginning he wanted to hush up the whole thing"?

The Hon'ble Sir Sam O'Donnell : Yes.

*99. **Babu Sampurnanand :** Is it a fact that in setting aside the conviction of Balram Prasad on appeal the sessions judge observes that there appears to have been delay in informing the superintendent of education and that it is quite true that this case has suffered from the fact that the investigation began very late, referring to the fact that the police began their investigation on the 22nd although they received the report on the 20th?

The Hon'ble Sir Sam O'Donnell : (1) Yes.

(2) Yes.

(3) There is no such direct reference.

*100. **Babu Sampurnanand :** Did the district magistrate of Benares in August last send to the chairman, municipal board, Benares, copies of the portions in the judgement of the city magistrate criticizing the superintendent of education with the remark that they were being sent for "necessary action"?

The Hon'ble Sir Sam O'Donnell : Yes.

*101. **Babu Sampurnanand :** Did he also forward the relevant extracts from the judgement of the sessions judge? If not, why not?

The Hon'ble Sir Sam O'Donnell : (a) No.

(b) Presumably because he did not consider it necessary to do so.

*102. **Babu Sampurnanand :** What was the "necessary action" contemplated by him?

The Hon'ble Sir Sam O'Donnell : Government understand that the district magistrate wished to draw the attention of the board to the delay that occurred on the part of the superintendent of education in making inquiries into the case.

*103. **Babu Sampurnanand :** What steps have been taken against the police officers concerned for the delay in beginning investigations?

The Hon'ble Sir Sam O'Donnell : No steps have been taken because there was no delay on their part in starting the inquiries.

*104. **Babu Sampurnanand :** Has the sessions judge further observed in his judgement: "It may be that there are wire-pullers behind this case"? Has any attempt been made to trace these wire-pullers?

The Hon'ble Sir Sam O'Donnell : (a) Yes.

(b) No.

*105. **Babu Sampurnanand :** Did the district magistrate write a note to the city magistrate which is a part of the record of the case instructing him to issue a non-bailable warrant and containing the further statement, "I am told that the teacher committed a similar offence last year but it was hushed up"?

The Hon'ble Sir Sam O'Donnell : Yes.

*106. **Babu Sampurnanand** : Why did the district magistrate fetter the discretion of the city magistrate in the matter of the warrant?

The Hon'ble Sir Sam O'Donnell : The offence was not bailable, and there was, therefore, no question of fettering the discretion of the magistrate.

*107. **Babu Sampurnanand** : Was he called as a witness to depose as to the nature of his information? Did he try to trace the wire-pullers referred to by the sessions judge by questioning his informants?

The Hon'ble Sir Sam O'Donnell : (a) No.

(b) No.

LEPER ASYLUM, BENARES.

*108. **Babu Sampurnanand** : What is the accommodation and annual expenditure of the Benares leper asylum?

The Hon'ble Rai Rajeshwar Bali : The Benares leper asylum has accommodation for 24 beds. Its expenditure in 1926-27 was Rs. 10,946-14.

*109. **Babu Sampurnanand** : Is there a proposal before the Government to open or subsidize an asylum for the lepers somewhere in the Benares district?

The Hon'ble Rai Rajeshwar Bali : Yes.

GRAZING GROUNDS IN VILLAGES.

*110. **Babu Sampurnanand** : Is it the intention of Government to make statutory provision for the compulsory setting apart of grazing grounds in villages? Has Government any scheme in this connexion under consideration or will it consider the advisability of appointing a committee to go into this question?

The Hon'ble Thakur Rajendra Singh : The answer to the first part of the question is in the negative. Government have for some time reserved areas in certain districts for grazing and have remitted the revenue of these lands on condition that the zamindars do not take grazing fees exceeding two annas per head for six months or less. Elsewhere, Government exempt from land revenue all grazing lands on which no fees are taken. Government have also been engaged for some years in afforesting ravine lands which comprise about half a million acres. When the ravines are completely afforested they will provide a very large addition to the grazing areas of the province.

CHOLERA IN JHANSI.

*111. **Fandit Bhagwat Narayan Bhargava** : Is it a fact that cholera was raging in Jhansi district for some months this year? If so, in how many places? What action was taken by the district officers and how much money was spent in this connexion by the district board and by the Government?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) Ninety-three.

(c) (i) The district and health staff made immediate arrangements for the disinfection of wells with permanganate of potash and for the

segregation of patients and took all the other measures necessary for the suppression of the disease.

(ii) The total expenditure borne by the district board amounted to Rs. 1,567 exclusive of Rs. 300 paid to vaccinators as cholera duty allowance.

(iii) The expenditure incurred by Government amounted to Rs. 2,467, in addition to the cost of permanganate of potash and anti-cholera vaccine.

PAY OF COMPOUNDERS.

*112. **Pandit Bhagwat Narayan Bhargava**: When was the scale of pay of compounders in district board dispensaries revised last?

The Hon'ble Rai Rajeshwar Bali: 1921.

*113. **Pandit Bhagwat Narayan Bhargava**: What is the existing scale of their pay?

The Hon'ble Rai Rajeshwar Bali: A statement is laid on the table.

(See Appendix M, page 161.)

*114. **Pandit Bhagwat Narayan Bhargava**: Did they get any increase in the scale when the sub-assistant surgeons were given the same some years back?

The Hon'ble Rai Rajeshwar Bali: No. The pay of sub-assistant surgeons was revised only a year after the pay of compounders was revised.

RECOMMENDATIONS OF CATTLE-BREEDING COMMITTEE.

*115. **Pandit Bhagwat Narayan Bhargava**: Did the Government receive any recommendation from the Cattle-breeding Committee regarding restriction of certain kinds of cattle and provision of pasture land? If so, will it lay the same on the table and state the action taken on it?

The Hon'ble Thakur Rajendra Singh: The honourable member is referred to the answers given to starred question No. 24 asked by Pandit Shri Sadayatan Pande Sahib and starred question No. 110 asked by Babu Sampurnanand Sahib this morning.

CRIMINAL AND NON-CRIMINAL PATIENTS IN MENTAL HOSPITALS.

*116. **Pandit Bhagwat Narayan Bhargava**: Will the Government state if criminal and non-criminal patients are kept quite separate in mental hospitals with separate wards for females?

The Hon'ble Rai Rajeshwar Bali: Criminal lunatics are now kept in the Benares mental hospital alone which has been reserved for them and has separate wards for females.

RELIGIOUS INSTRUCTORS IN JAILS.

*117. **Pandit Bhagwat Narayan Bhargava**: Will the Government state the names of jails where voluntary religious instructors are working as well as the names, the educational qualifications and the status of the said instructors?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: A statement is laid on the table.

(See Appendix N, page 162.)

***118. Pandit Bhagwat Narayan Bhargava :** Has the Government sent any communication to all the district magistrates and superintendents of jails urging upon them the necessity of having religious instructors for every jail?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Government have instructed district magistrates and jail superintendents to encourage religious instruction in jails by giving facilities to private persons of good character prepared to give such instruction.

CATTLE SLAUGHTER.

***119. Pandit Bhagwat Narayan Bhargava :** Has the attention of the Government been drawn to notification No. 1239-955/XIII, dated May 31, 1922, of the Government of the Central Provinces and Berar prohibiting slaughter of certain classes of cattle? Do the Government intend to adopt the same in the United Provinces? If not, why not?

The Hon'ble Thakur Rajendra Singh : The honourable member is referred to the answer given to question No. 25 asked by Pandit Shri Sadayatan Pande Sahib this morning.

ABOLITION OF FREE DISTRIBUTION OF QUININE IN SCHOOLS.

***120. Pandit Bhagwat Narayan Bhargava :** Is it a fact that some time back quinine was distributed free of charge in rural areas, specially schools? Since when has this practice been abandoned and why?

The Hon'ble Rai Rajeshwar Bali : Yes, but the free distribution had to be abandoned in 1917, as a war economy when quinine supplies were short. The shortage of supply continues and all the available quinine is required for curative purposes.

Mr. Mukandi Lal : Does the Government propose to begin supplying quinine again?

The Hon'ble Rai Rajeshwar Bali : I have already said that the shortage of supply still continues.

Mr. Mukandi Lal : Does the Government propose to make up the shortage of supply?

The Hon'ble Rai Rajeshwar Bali : It is not for us to make the shortage of supply.

MEDICAL EXAMINATION OF SCHOLARS IN RURAL AREAS.

***121. Pandit Bhagwat Narayan Bhargava :** What arrangement has the Government made for the medical examination of scholars in rural areas? How many times in a year are they examined? Is there any medicinal centre for them? If not, what arrangement for giving them proper medicine in times of need is made?

The Hon'ble Rai Rajeshwar Bali : In all districts which have been provided with a district health service, all primary schools and scholars are inspected by the district medical officer of health or the assistant medical officer of health once a year. During 1926, 3,160 schools and 98,671 scholars were inspected in the 17 districts under the district health scheme in addition to 351 schools and 23,065 scholars elsewhere. There is no medicinal centre for scholars in rural areas, but a scheme is being tried in the Sitapur district which consists in providing the schoolmasters

with medicines to treat the diseases mentioned in the inspection form, a copy of which is placed on the table. A pamphlet giving instructions has been drawn up for the teachers. To begin with, the scheme will be put in force in all the primary schools in the rural area of Sitapur district.

(See Appendix O, page 164.)

Pandit Bhagwat Narayan Bhargava : Am I to understand that the Government makes no arrangements whatsoever either for the medical examination of the students or for the supply of medicine ?

The Hon'ble Rai Rajeshwar Bali : Yes, in other districts there is no provision for it.

PROJECTS PREPARED BY PUBLIC HEALTH DEPARTMENT.

*122. **Pandit Bhagwat Narayan Bhargava :** (a) What was the amount of estimates for which projects were made by the Engineering branch of the Public Health department for municipal and district boards during the last three years and what was the amount charged by the department from boards for the work done ?

(b) Was it compulsory for the boards to get those projects prepared by the Public Health department ?

The Hon'ble Nawab Muhammad Yusuf : (a) A statement is laid on the table.

(b) No. The projects were prepared by the Public Health department at the request of the boards. For any further information on the subject the honourable member is referred to rule 4 published with Government notification No. 313, dated January 29, 1926, and to rules 7, 8, 9 and 13 of the District Boards Public Works Rules."

(See Appendix P, page 165).

ACCOMMODATION IN THE HOSTEL OF AGRA MEDICAL SCHOOL.

*123. **Pandit Bhagwat Narayan Bhargava :** (a) Is it a fact that the hostel of Agra Medical School has not got sufficient accommodation for students ?

(b) How many students are living in hired houses ?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) One hundred and nine.

Pandit Bhagwat Narayan Bhargava : Is the Government not in a position to make any arrangements for the students ?

The Hon'ble Rai Rajeshwar Bali : Unless a new hostel is built, no arrangement can be made.

Mr. Mukandi Lal : Does the Government propose to build a new hostel there ?

The Hon'ble Rai Rajeshwar Bali : The question is under consideration.

HEALTH OFFICERS.

*124. **Pandit Bhagwat Narayan Bhargava :** Will the Government lay a statement before the House showing the municipalities which have appointed health officers according to their class and the names of those

which ought to have health officers but which have not done so or have appointed officers of a lower class than that required and reasons for the same?

The Hon'ble Rai Rajeshwar Bali : A statement is under preparation. It has been delayed by recent changes.

· PROVINCIAL SUBORDINATE MEDICAL SERVICE OFFICERS.

*125. **Pandit Bhagwat Narayan Bhargava :** (a) Will the Government state the cadre of the provincial subordinate medical service during the last four years?

(b) How many officers of this service were made to leave the service during those years and what was the maximum length of service of those who were retired before time or otherwise made to leave service?

(c) How many men of this service have been recruited to Government service since 1920 and how many have been directly appointed by district or municipal boards?

(d) What has been the number of cadets coming out successful from the Agra Medical School since then every year?

The Hon'ble Rai Rajeshwar Bali : (a) The cadre in the month of April in each of the last four years was as follows :—

1923	..	...	603
1924	...	..	546
1925	...	...	450
1926	...	...	420

(b) (1) One hundred and forty-five.

(2) The maximum length of service of the officers who were retired before attaining the age of 55 years was 30 years and of that of the junior officers who were granted gratuity was six years.

(c) (1) One hundred and forty-six.

(2) The information is being collected.

(d) The number is stated below :—

1920	...	..	1
1921	...	...	68
1922	...	...	67
1923	...	...	40
1924	...	...	54
1925	...	...	23
1926	...	...	14

Pandit Bhagwat Narayan Bhargava : In view of the fact that the number of successful candidates is increasing every year and the cadre is decreasing every year, does the Government propose to make any arrangement for the successful candidates to get posts?

The Hon'ble Rai Rajeshwar Bali : I believe the successful candidates will be employed by the district boards as they open new dispensaries or as the existing dispensaries are handed over to them.

AGRA MEDICAL SCHOOL.

* 126. **Pandit Bhagwat Narayan Bhargava :** What is the total expenditure on the Agra Medical School per year?

The Hon'ble Rai Rajeshwar Bali : The expenditure varies from year to year and in 1926-27 was as follows :—

	Rs.
Male school	1,50,860
Women's school	48,674

***127. Pandit Bhagwat Narayan Bhargava :** Do the persons qualified from this school hold registrable qualifications ?

The Hon'ble Rai Rajeshwar Bali : The qualifications are registrable in the United Provinces, but not in the United Kingdom.

***128. Pandit Bhagwat Narayan Bhargava :** Did the Principal of Agra Medical School forward to the Inspector-General of Civil Hospitals on April 8, 1927, applications of two ex-students Ramashankar Misra and Dinesh Verma, requesting for re-admission as third year students ?

The Hon'ble Rai Rajeshwar Bali : Yes.

***129. Pandit Bhagwat Narayan Bhargava :** Will the Government state the reasons for which the Inspector-General did not grant the applications ?

The Hon'ble Rai Rajeshwar Bali : The Inspector-General and the Principal of the Agra Medical School did not grant the applications because the students in question left the school without permission and remained absent for a long period. They had no satisfactory excuse to explain their conduct.

Pandit Bhagwat Narayan Bhargava : Is there any rule which makes it compulsory to refuse admission to students who have absented themselves without reason ?

The Hon'ble Rai Rajeshwar Bali : There is no rule, but it is in the discretion of the Principal.

Pandit Bhagwat Narayan Bhargava : Does the Government approve of the action of the Principal in this particular case ?

The Hon'ble Rai Rajeshwar Bali : We must leave disciplinary measures to the discretion of the Principal.

Pandit Bhagwat Narayan Bhargava : May I understand that all absentees are to be refused admission and that the discretion exercised therein is rightly exercised ?

The Hon'ble Rai Rajeshwar Bali : As I have said, they left the school without permission and remained absent for a long period without giving any satisfactory explanation for their conduct.

Pandit Bhagwat Narayan Bhargava : Is it a fact that they mentioned to the Principal of the College that they left the school on account of the non-co-operation movement during 1921-22 ?

The Hon'ble Rai Rajeshwar Bali : I am not aware of that.

***130. Pandit Bhagwat Narayan Bhargava :** Have these students been refused even leaving certificates for admission in schools in other provinces ? If so, why ?

The Hon'ble Rai Rajeshwar Bali : So far as is known, they have not applied for such certificates.

*131 and 132. **Pandit Govind Ballabh Pant:** [*Postponed at the request of Government till the meeting of the Council on December 21, 1927.*]

DIVISIONAL FOREST OFFICER OF NAINI TAL.

*133. **Pandit Govind Ballabh Pant:** When was the present Divisional Forest Officer of Naini Tal division appointed? What was the period of his service in the Forest executive service at the time of his appointment? Where did he receive his training in forestry and what are his qualifications? How many forest officers senior to him were then and are now attached to other divisions or offices? What are their names?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:
(a) On September 12, 1925.

(b) One year and nine months.

(c) The honourable member is referred to the reply to starred question No. 134(c) given on November 2, 1927.

(d) No officers senior to him were then or are now attached to other divisions or offices.

Pandit Govind Ballabh Pant: Are all the executive officers appointed prior to September 12, 1925, in charge of divisions?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I understand that that is what it means.

Pandit Govind Ballabh Pant: Is it a fact that there are a number of officers appointed prior to September 12, 1925, who are not in independent charge of divisions?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I cannot say definitely, but if the honourable member will give me notice I will find it out.

Pandit Govind Ballabh Pant: Will the Hon'ble the Home Member be pleased to state how many divisions there are in the Forest department?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I do not remember.

Pandit Govind Ballabh Pant: Will the Hon'ble the Home Member be pleased to state how many officers appointed prior to September, 1925, are still in service?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I require notice for all these things; I cannot remember them orally.

Pandit Govind Ballabh Pant: Will he be pleased to accept that his answer is incorrect?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I do not see any reason; but I will find it out.

CLERKS IN THE NAINI TAL DIVISIONAL FOREST OFFICER'S OFFICE.

*134. **Pandit Govind Ballabh Pant:** Is it a fact that the clerks in the Naini Tal Divisional Forest Officer's office are often required to stay in office till a late hour? Is it a fact that they are seldom permitted to

enjoy gazetted holidays? Is it a fact that they were ordered to attend office even on the *Janam Ashtami* day? Does the Divisional Forest Officer attend the office at Naini Tal daily? What are his office hours? For how many days during the last year he was at his office, and when?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) No.

(b) No.

(c) Yes.

(d) The Divisional Forest Officer does not attend his office daily. He is on tour for the greater part of the year, and when in Naini Tal he often finds that he gets more work done by working at his house. Official office hours are 10 a.m. to 4 p.m. The Divisional Forest Officer keeps no record of the days on which he works in office.

Pandit Govind Ballabh Pant: Will the Hon'ble the Home Member be pleased to state why the clerks were required to attend office on the *Janam Ashtami* day.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I made inquiries into the matter and have been informed that in those days they were preparing the budget; the work was very heavy, and it was necessary to have it done soon. That was the reason why they were asked to work on the *Janam Ashtami* day.

Pandit Govind Ballabh Pant: Is it a fact that the head clerk was keeping a fast and he fell into a swoon on the evening of that day?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I am not aware of that.

Pandit Govind Ballabh Pant: Will the Hon'ble the Home Member be pleased to instruct the officer concerned not to ask his clerks to attend office on such important festivals?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I think there was special reason for that, otherwise we always see that our servants are allowed to enjoy gazetted holidays.

Pandit Govind Ballabh Pant: May I know how the Government interpreted the question that I had put—"Whether the clerks are often required to stay in office till a late hour?" What they did understand by "a late hour" and how did they interpret "often?"

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: We thought—it is an extraordinary thing that they were asked to work on a holiday or is it that they are always asked to do so, whether it is often or it is seldom. It is not a fact that they are often asked to work on holidays.

Pandit Govind Ballabh Pant: In case they are asked to attend on eight out of fifteen holidays, would the Government consider it as often or as seldom?

The Hon'ble the President: It is an argument rather than a question.

Pandit Govind Ballabh Pant: Is the Government aware that at least during half of the holidays these people are required to attend office beyond 6, 7, and 8 and even 9 o'clock?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: We are not aware of that.

Pandit Govind Ballabh Pant : Why does the officer concerned not attend the office and why does he do his work at his house ?

The Hon'ble Lieut Nawab Muhammad Ahmad Sa'id Khan : We have often found that sometimes people find it easier to work at home—specially when there is anything complicated, one finds it easier to dispose of it at home. That is the reason why this reply was given.

Pandit Govind Ballabh Pant : Here it is said :—"The divisional officer keeps no record of the days on which he works in office." May I know if he ever worked in office during the whole of the year ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Most certainly ; yes.

Pandit Govind Ballabh Pant : Can the Government give us a rough idea as to the number of days when he attended the office ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It is difficult to give a rough idea. I know it for certain that he goes to office because I put that question. "Is it very seldom that he goes to office ?" and the reply was that he often goes to office. It is not a fact that he never goes to office.

Pandit Govind Ballabh Pant : Is it very seldom that he works at home ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : This is again a question of opinion as to what is seldom and what is often.

Pandit Govind Ballabh Pant : Will the Government now ask to keep a record ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not think there is any reason for keeping a record. I will draw the attention of the Chief Conservator of Forests to the matter.

*135. **Pandit Govind Ballabh Pant :** [*Postponed at the request of Government till the meeting of the Council on December 21, 1927.*]

CANAL WATER FLOW INTO RATMAU RIVULET, ROORKEE.

*136. **Chaudhri Mangat Singh :** Is the Government aware that immense quantities of canal water were allowed this year to flow into rivulet Ratmau, in tahsil Roorkee, district Saharanpur, by the Ganges canal authorities ?

The Hon'ble Sir Sam O'Donnell : The maximum volume ever passed was not more than one-tenth of the flood discharge, and the average was about one-twentieth.

*137. **Chaudhri Mangat Singh :** For how many days did the canal water continue flowing into this rivulet ?

The Hon'ble Sir Sam O'Donnell : For 65 days in all during the current year 1927.

*138. **Chaudhri Mangat Singh :** What decrease in arable area has been caused by this rivulet in tahsil Roorkee since 1924 ?

The Hon'ble Sir Sam O'Donnell : Since the floods of 1924 there has been a decrease of 1,227 acres in the cultivated area in the neighbourhood of the Ratmau river.

*139. **Chaudhri Mangat Singh :** How many villages have been affected by the overflowing of this river ?

The Hon'ble Sir Sam O'Donnell : Twenty-eight villages were affected by this river in 1927.

***140. Chaudhri Mangat Singh :** What is the extent of damage done to the crops and the people on its banks ?

The Hon'ble Sir Sam O'Donnell : There was no loss of life or of cattle in 1927. The estimated damage to the *kharif* crop of 1335 *Fasli* varies from four annas to twelve annas in the affected villages.

***141. Chaudhri Mangat Singh :** Is the Government aware of the fact that the sowing of the *rabi* crops has been rendered impossible by the overflowing of this river ?

The Hon'ble Sir Sam O'Donnell : *Rabi* sowings were not rendered impossible, but were retarded in the affected villages, and there may be a decrease of 750 acres of *rabi* this year.

***142. Chaudhri Mangat Singh :** Is the Government aware that this diminution in area and the loss of crops are due to the changing course of the river, resulting from the immense quantities of water being let into it by the Canal department ?

The Hon'ble Sir Sam O'Donnell : No, the changing course of the river is not due to water escaped at Dhanauri, but to floods.

***143. Chaudhri Mangat Singh :** Did the people of the affected villages petition the sub-divisional officer and the district officer for the redress of their grievances ? How many such petitions were received ? What action was taken on them ?

The Hon'ble Sir Sam O'Donnell : About a dozen petitions were filed by villagers to the sub-divisional officer and district officer asking for *tagavi*. The canal authorities were immediately addressed on the subject and requested to consider the advisability of escaping as little water into the river at Dhanauri as was compatible with the safety of the canal. The assessment of the damage was at once started and has since been completed. A free distribution of Rs. 2,584 was made among the people in the affected area. *Tagavi* was also distributed. The sub-divisional officer and tahsildar have toured in the affected area and are of the opinion that no further relief is required.

(Question time having expired the remaining questions were not called.)

GRAZING RIGHTS IN CHILMERI, DEHRA DUN.

***144. Thakur Manjit Singh Rathor :** Will the Government be pleased to state if it is a fact that the villagers of village Thana and Tengra, in the pargana Jaunsar-Bawar, district Dehra Dun, have enjoyed from time immemorial the right of cutting grass and vegetation from the adjoining Chilmeri forest, and of grazing their cattle in the said jungle ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It is not a fact.

***145. Thakur Manjit Singh Rathor :** Is the Government aware that the number of head of cattle in the said two villages is about 1,000 ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

*146. **Thakur Manjit Singh Rathor** : What is the amount of grazing dues which the Government realize from the above two villages for permitting grazing in Chilmeri jungle?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Government realize nothing. The cantonment authority gets Rs. 70 per annum under an arrangement made in 1884, whereby the land revenue of the village was reduced by the same sum.

*147. **Thakur Manjit Singh Rathor** : What is the total revenue which the Government receive from the sale of grass in Chilmeri forest?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : None.

*148. **Thakur Manjit Singh Rathor** : Will the Government be pleased to put before the Council a copy of the reply to the petition of Jawalla Siana and his co-workers, dated April 10, 1890, on the subject that they may be allowed to take leaves and fuel from the Chilmeri forest of Chakrata, which petition was referred to by the Government of India in their communication, dated May 23, 1890, No. 418-F., to the petitioners?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The papers are not traceable.

*149. **Thakur Manjit Singh Rathor** : Do Government propose to issue instructions to the proper authorities in Chakrata to make proper arrangements for the allotment of land for grazing purposes, and to withdraw any instructions that may have been given restricting the rights and practice of the above two villages to take fuel and leaves from Chilmeri forest?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

PILGRIM TAX AT AJODHYA.

*150. **Raja Raghuraj Singh** : Will the Government kindly take steps and see that all the income derived from the pilgrim tax at Ajodhya is only spent by the Ajodhya municipality for the benefit of pilgrims?

The Hon'ble Nawab Muhammad Yusuf : This is under consideration.

LIEUT. ALI BIN HAMID, TAHSILDAR OF BAREILLY, AND COMMUNAL RIOT.

*151. **Pandit Rahas Bihari Tewari** : (i) Is it a fact that while Lieut. Ali Bin Hamid, Tahsildar of Bareilly, was holding charge of a tahsil in another district, a communal riot took place there?

(ii) Is it a fact that the authorities condemned his conduct during that riot and made an adverse entry in his character roll in that connexion?

The Hon'ble Sir Sam O'Donnell : (i) Not so far as Government are aware.

(ii) There is no adverse entry of the kind in his character roll, and, so far as Government are aware, the answer to the first part of the question is in the negative.

ARMED POLICE.

*152. **Thakur Sadho Singh** : (a) How many armed policemen have been recruited recently after the sanction of the money in the last supplementary budget? How many men belong to each community?

(b) What was the existing strength of each community in the force before this recruitment?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Three hundred and twenty-nine armed police have been enlisted since the increase in the Armed Emergency Reserve was sanctioned. Of these 171 are Hindus and 158 are Muslims.

(b) Before these extra men were enlisted, the armed police consisted of 4,844 Hindus, 2,023 Muslims, and one Christian.

TIME-SCALE PAY TO SUB-REGISTRARS.

*153. **Hafiz Muhammad Ibrahim :** Is there any intention on the part of the Government to introduce a time-scale of pay in the case of sub-registrars in these provinces?

The Hon'ble Nawab Muhammad Yusuf : The honourable member is referred to the answer to starred Council question No. 140 of October 29, 1927.

*154. **Hafiz Muhammad Ibrahim :** Has the association of the sub-registrars of the United Provinces submitted any memorial to the Government on this subject?

The Hon'ble Nawab Muhammad Yusuf : No.

*155. **Hafiz Muhammad Ibrahim :** If so, has this memorial met with the approval of the Government? If not, why not?

The Hon'ble Nawab Muhammad Yusuf : Does not arise.

GRAZING FEES IN BIJNOR.

*156. **Hafiz Muhammad Ibrahim :** Do Government realize any fees for the grazing of cattle in the forests surrounding the pargana of Afzalgarh in Bijnor district?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

*157. **Hafiz Muhammad Ibrahim :** If so, will the Government be pleased to state in detail what fees are charged?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A statement is laid on the table.

(See Appendix Q, page 165.)

*158. **Hafiz Muhammad Ibrahim :** Is it a fact that no such fees were charged some two or three years ago?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No, it is not a fact.

*159. **Hafiz Muhammad Ibrahim :** If so, will the Government be pleased to state on what grounds these fees have been levied?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Does not arise.

PROSECUTION OF SUB-REGISTRARS AND REGISTRATION MUHARRIRS

*160. **Hafiz Muhammad Ibrahim :** How many sub-registrars and registration muharrirs were prosecuted in criminal courts during the last three years, and on what specific charges?

The Hon'ble Nawab Muhammad Yusuf : (a) Two sub-registrars and four registration muharrirs.

(b) Under section 161 or 161 and 420 of the Indian Penal Code.

* 161. **Hafiz Muhammad Ibrahim** : Was a departmental inquiry made before each of the prosecutions was instituted? If not, why not?

The Hon'ble Nawab Muhammad Yusuf : (a) Yes.

(b) Does not arise.

FERRIES ACT IN BIJNOR.

* 162. **Hafiz Muhammad Ibrahim** : Will the Government be pleased to say who pays the expenses incurred in carrying out the Ferries Act in Bijnor district—the Government or the district board?

The Hon'ble Nawab Muhammad Yusuf : The district board.

* 163. **Hafiz Muhammad Ibrahim** : Is it a fact that the fines realized under the Ferries Act are credited to the Local Government?

The Hon'ble Nawab Muhammad Yusuf : Yes, by the terms of the Act.

* 164. **Hafiz Muhammad Ibrahim** : Are the Government prepared to consider the advisability of ordering that in future this income may be credited to the district fund?

The Hon'ble Nawab Muhammad Yusuf : No.

* 165 and 166. **Hafiz Muhammad Ibrahim** : [*Postponed at the request of Government till the meeting of the Council on December 21, 1927.*]

[BACHI GOUR DHARAMSALA AT NAINI TAL.

* 167. **Pandit Badri Dutt Pande** : Is it a fact that the Bachi Gour Dharamsala at Naini Tal is solely meant for Hindu passengers? Is it a fact that some Muhammadan police constables belonging to the Special Dacoity Police were occupying the building during the season of 1927? Is it a fact that the Deputy Commissioner, who is also chairman of the board, has given them permission to do so?

The Hon'ble Nawab Muhammad Yusuf : (1) The Bachi Gour Dharamsala is under the management of the municipal board, Naini Tal, and is meant for Hindus only.

(2) The dharamsala is in close proximity to the Naini Tal Jail, and, on the request of the Deputy Superintendent of the Special Dacoity Police, the secretary, municipal board, Naini Tal, permitted the occupation of one room in the dharamsala by the special police guard for the period during which the Additional Sessions Judge held his court at Naini Tal. It is not known whether there were any Muhammadan constables in the guard.

(3) Permission was given by the secretary without the knowledge of the chairman, who is the Deputy Commissioner.

POLLUTION OF BATHING GHATS AT BENARES.

* 168. **Sri Ganesh Shankar Vidyarthi** : Will the Government please state—

(a) whether it is a fact that drains from the city pour in at every or most of the bathing ghâts at the Ganges at Benares and.

- (b) if so, will the Government see its way to press and help the municipal board of Benares in carrying out some well-laid scheme of sullage farm ?

The Hon'ble Rai Rajeshwar Bali : A reply will be given at a later date.

**COMPLAINT AGAINST ABDUL GHANI, SUB-INSPECTOR, OF
SUJANGANJ, JAUNPUR DISTRICT.**

*169. **Sri Ganesh Shankar Vidyarthi :** (a) Is it a fact that certain villagers in Jaunpur district approached the district magistrate with the complaint that Sub-Inspector Abdul Ghani of Sujanganj thana has extorted certain amounts of money and materials from them ?

(b) If so, has any inquiry been made, and with what result ?

(c) Is it a fact that Jumai, Dhunia, of Sonehita and Chouki Bhutali made serious allegations against the sub-inspector when the circle inspector took their statements ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : One villager called Jumai, Dhunia, sent a complaint against Sub-Inspector Abdul Ghani to the district magistrate by post. The circle inspector held an inquiry, and Jumai made the same allegations before him as he had made in his complaint. Sumer, chaukidar of the village Bhutali, also made accusations against the sub-inspector, but they were not corroborated. Subsequently the superintendent of police made a departmental inquiry and found that the charges against the sub-inspector had not been established.

CHAIRMAN AND SECRETARY OF THE NOTIFIED AREA OF KOSI, MUTTRA.

*170. **Sri Ganesh Shankar Vidyarthi :** (a) Will the Government please state why the Commissioner of Agra division has deprived the notified area of Kosi of the right of electing its own chairman ?

(b) Is it a fact that the officially-appointed chairman usually resides at Muttra, which is 25 miles off from Kosi ?

(c) Is it a fact that the present secretary of the Kosi notified area is a Government servant, whose services have been lent to the notified area at Rs. 175 per month ?

(d) Is it a fact that the same man is working as secretary of the notified area for fifteen years ?

The Hon'ble Nawab Muhammad Yusuf : (a) Owing to the existence of acute factional feelings in the town the Government consider it necessary to retain an official chairman.

(b) Yes.

(c) Yes, but his pay is Rs. 140 per mensem and not Rs. 175.

(d) Yes.

NEW VICTORIA AND ATHERTON WEST MILLS.

*171. **Sri Ganesh Shankar Vidyarthi :** (a) Is it a fact that there is a rule in force in the new Victoria Mills and the Atherton West Mills, that a mill-hand absenting himself from work for four days consecutively has his arrears of wages confiscated and is himself discharged ?

(b) Is it a fact that in the course of the last three months from July to September, 1927, no less than 150 persons were discharged and their arrear of wages confiscated in pursuance of this rule in the new Victoria Mills?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: An answer will be given at a later date.

**ADMISSION OF DEPRESSED CLASS BOYS IN SANSKRIT COLLEGE,
BENARES.**

*172. **Chaudhri Dharamvir Singh:** (a) Is it a rule that no boy belonging to the depressed classes can get admission into the Benares Sanskrit College?

(b) How many students, if any, have been refused admission into the said college simply on account of their having belonged to one of the depressed classes?

The Hon'ble Rai Rajeshwar Bali: (a) No.

(b) Information is not available.

Nagar Kirtan PROCESSION OF THE ARYA SAMAJ, HAPUR.

*173. **Chaudhri Dharamvir Singh:** (a) Is it a fact that the Arya Samaj, Hapur, has not been taking out its *Nagar Kirtan* procession for the last three years through the streets of the Hapur town through which it used to take it out previously?

(a) Is it a fact that the *Nagar Kirtan* procession of the Arya Samaj, Hapur, had altogether to be abandoned for the last three years? If so, what was the cause of this abandonment?

The Hon'ble Sir Sam O'Donnell: (a) The *Nagar Kirtan* procession in Hapur has not been taken out during the years 1925, 1926, and 1927.

(b) Presumably because they were not allowed to go along a route which involved passing a mosque.

*174. **Chaudhri Dharamvir Singh:** (a) Were ever any restrictions imposed by the authorities on *Nagar Kirtan* procession of Arya Samaj, Hapur?

(b) If so, what were the restrictions?

(c) When were they first imposed?

(d) For how many years, if any, had the Hapur Arya Samaj been taking out its procession freely before such restrictions were first imposed?

(e) Will the Government be pleased to lay on the table a copy of the first order of the authorities requiring the Arya Samaj not to take out its *Nagar Kirtan* procession without observing certain prescribed restrictions?

The Hon'ble Sir Sam O'Donnell: (a) Yes.

(b) Orders under section 30, Police Act.

(c) In the year 1925.

(d) There is nothing on record to show that the Arya Samaj had taken out procession previous to 1925.

(e) An English translation of the orders under section 30, Police Act, is placed on the honourable member's table.

(See Appendix R, page 166.)

ALLAHABAD AND LUCKNOW UNIVERSITIES.

* 175. **Chaudhri Dharamvir Singh**: (1) Will the Government be pleased to supply the following information about the Allahabad University?—

- (a) A list of subjects in each of which provision exists for research work in the university.
- (b) The number of research scholarships at present being given in each subject in the university.
- (c) The total sum spent monthly in giving research scholarships in each subject in the university.
- (d) The number of hours devoted daily to the guiding of research work by the professor or professors in charge of research work in each subject in the university.
- (e) The salary of the professor in charge of research work in each subject. Or if more than one professor help in the research work, their separate salaries?

(2) Will the Government be pleased to supply exactly similar information about Lucknow University as is asked for Allahabad University in the above part?

The Hon'ble Rai Rajeshwar Bali: (1) (a), (b), (c), (d), (e) and (2) A statement is laid on the table of the honourable member.

(See Appendix S, page 167.)

PROFESSORS IN LUCKNOW UNIVERSITY.

* 176. **Chaudhri Dharamvir Singh**: (1) Will the Government be pleased to supply the following information about professors in Lucknow University?—

- (a) The names of professors with their qualifications and their salaries.
- (b) The number of hours per week each professor works in the university.
- (c) The number of research papers, if any, produced by each professor since his appointment in the university and the names of journals in which and the dates on which those papers found publication.
- (d) For each professor in the university, the number of years he has been serving the university.
- (e) For each professor in the university, the particular subject or subjects on which he delivered learned lectures, if any, which were found so important as to require their publication in the form of a separate book or several books.

(2) Will the Government be pleased to supply exactly similar information about Allahabad University, as is asked for Lucknow University in the above part?

(3) Will the Government be pleased to supply the following information about each of the Lucknow and Allahabad Universities? :—

- (a) The number of lecturers in the university, their maximum and minimum salaries, and the number of hours each has, on the average, to work in the university per week.

- (t) The total sum spent in paying monthly salaries to lecturers in the university.

The Hon'ble Rai Rajeshwar Bali. Inquiries have been made. A reply will be given at a later date.

HAND-SPINNING AND WEAVING TAUGHT IN SCHOOLS OF LOCAL BODIES.

* 177. **Chaudhri Dharamvir Singh:** How many district boards and how many municipal boards have introduced hand-spinning and hand-weaving as a subject to be taught in schools in their jurisdictions? How many of them have made the subject compulsory?

The Hon'ble Rai Rajeshwar Bali. Inquiries are being made. The information will be furnished at a later date.

RELIGIOUS INSTRUCTIONS IN JAILS.

* 178. **Chaudhri Dharamvir Singh:** In how many jails in the United Provinces does provision exist for religious instruction for the prisoners? What is the form of religious instruction, and who are the instructors?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan. The honourable member is referred to the answer given to starred question No. 117 today.

M. L. CS. AS *ex-officio* MEMBERS OF GOVERNMENT SCHOOL COMMITTEES.

* 179. **Chaudhri Dharamvir Singh:** Is it a fact that M. L. Cs. should be *ex-officio* members of Government school committees? Has this condition been fulfilled in the case of the present Government school committee of Hapur Government school? If not, why not?

The Hon'ble Rai Rajeshwar Bali. (1) Yes.

(2) No.

(3) Through an oversight. The omission will be made good.

HEAD CONSTABLES IN CERTAIN DISTRICTS.

* 180. **Chaudhri Dharamvir Singh:** Will the Government be pleased to state—

(a) the total number of Muslim head constables;

(b) the total number of non-Muslim head constables, in—

- (1) United Provinces, (2) district of Agra, (3) district of Bareilly, (4) district of Pilibhit and (5) district of Cawnpore?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) and (b) (1) The total number of Muslim head constables in this province is 1,727 and of non-Muslims 960.

(b) (2), (3), (4) and (5) A statement is laid on the honourable member's table.

(See Appendix T, page 169.)

ABDULLAH KHAN, CIVIL POLICE CONSTABLE OF LUCKNOW.

* 181. **Chaudhri Dharamvir Singh**: Will the Government be pleased to state if the following are facts? :—

- (i) That a certain civil police constable named Abdullah Khan, who is at present stationed in police lines, Lucknow, was a Hindu Chamar before he got converted to Muhammadanism.
- (ii) That the said Abdulla Khan when he was a Hindu Chamar applied to be enlisted as a police constable of the Kheri police but he was refused enlistment on the ground that he was a Chamar.
- (iii) That thereupon the said Abdulla Khan got himself converted to Muslim faith and after that again applied for his enlistment as a police constable.
- (iv) That this time he was enlisted on the ground that he no longer remained a Chamar.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan. (i) Yes.

(ii) No.

(iii) and (iv) Do not arise.

PADHANS IN BHABAR GOVERNMENT ESTATES.

* 182. **Chaudhri Dharamvir Singh**: Will the Government be pleased to state if the following are facts? :—

- (a) That in Bhabar Government estates, the padhan is a government agent who receives 10 per cent. of the total rent he collects for the Government.
- (b) That each padhan has in his possession land known as *bonda* which may vary from 50 to 300 bighas.
- (c) That the padhan forces the cultivators under him to perform all agricultural operations on his *bonda* land without paying them anything.
- (d) That if a cultivator is unable to do this forced labour by himself he must engage hired labourers to do it.

The Hon'ble Sir Sam O'Donnell: (a) In the large majority of the Naini Tal Bhabar Kham villages the padhan receives 10 per cent. commission on collection of rentals and also in hereditary Garhwal Bhabar villages. In the latter those who are not in direct line or are appointed by the Deputy Commissioner get five per cent.

(b) The land in the possession of all padhans is not "*bonda*." There are villages in the Naini Tal Bhabar in which the area in the possession of the padhan is known as "*bonda*" but he does not receive cash commission in such villages, while in the Garhwal-Bhabar they have 10 or 15 bighas of land as "*bonda*."

(c) A practice is in force in one pargana of Ramnagar tahsil, in some villages of which the padhans receive "*bonda*" up to a limit of 10 per cent. of the cultivated area of the village instead of commission, whereby the tenants in accordance with old custom assist them in carrying out their cultivation. The practice is not prevalent in Garhwal district.

(d) This is so only in the villages referred to in (c) above of the Naini Tal district but this is not so in Garhwal.

**INSTRUCTIONS TO KURK AMINS TO ATTEND TO THE DISTRAINTS
AND SALES OF CROPS UNDER THE TENANCY ACT.**

*183. **Rai Bahadur Lala Jagdish Prasad :** (a) Is it a fact that sale officers (kurk amins) are deputed by the district authorities to realize *tagavi* and arrears of revenue in villages, as well as to perform other duties, which leave very little time to these officers to go at the proper time for distraint in execution of decrees and sales of distrained crops under the Agra Tenancy Act?

(b) Is it not a fact that as a consequence thereof kurk amins generally do not go for the distraint and sale of crops till months after the orders for attachment, while in some cases till after the crops have actually been reaped, thereby rendering the object of distraint meaningless?

(c) Is the Government aware that zamindars are put to a great hardship on account of the distraints and sales being not made in time and arrears of rent not realized from the tenants?

(d) Do Government intend to issue proper orders to the district officers to the effect that the kurk amins be instructed to attend to the distraints and sales of crops under the Tenancy Act with due promptness?

The Hon'ble Sir Sam O'Donnell : The information asked for is not yet available. A reply will be given at a later date.

**TIME-SCALE PAY TO CLERKS IN SUBORDINATE OFFICES OF
GOVERNMENT DEPARTMENTS.**

*184. **Babu Bhagwati Sahai Bedar :** Will the Government be pleased to lay on the table a statement showing the subordinate offices of Government departments where a time-scale of pay is enjoyed by the clerks?

The Hon'ble Sir Sam O'Donnell : A statement showing the clerical services other than those in the Public Works department, who are on a time-scale (including the progressive scale) of pay is given below :—

Civil Secretariat	...	...	All clerks.
Office of the Private Secretary to His	...	...
• Excellency the Governor	...	...	Ditto.
Jail department	...	...	Ditto.
Council office	...	...	Ditto.
Office of Inspector-General of Prisons...	...	...	Three clerks.
Office of Inspector-General of Civil	...	...
Hospitals	...	...	Four clerks.
Civil surgeons' offices	...	...	One hundred and eight clerks.
Medical School, Agra	...	...	Three clerks.
Women's Medical School hospital	...	...	Two clerks.
Mental hospitals	...	...	Three clerks.
Office of the Director of Public Health	...	...	Two clerks.
Offices subordinate to Director of Public	...	...
Health	...	...	Nine clerks.
Office of Board of Revenue	...	...	All clerks.
Office of Special Forest Officer, Tarai	...	...
and Bhabar...	...	...	Ditto.
Engineer's office, Tarai and Bhabar	...	...	Ditto.
Garhwal-Bhabar Government estates	...	...	Two clerks.

Office of Inspector-General of Police ...	Four clerks.
Offices of Deputy Inspectors-General of Police	Three clerks.
Office of Assistant to Inspector-General of Police (Railways)	One clerk.
Criminal Investigation department office	Seven clerks.
Forest offices	Head assistants and stenographers.
Director of Agriculture's office ...	Seven clerks.
Cattle-breeding department ...	Five clerks.
Agricultural Engineering department...	Nineteen clerks.
Agricultural college, research laboratories and farms	Eleven clerks.
Agricultural library	Two clerks.
Agricultural school	One clerk.
Agricultural supervising staff ...	Forty-six clerks.
Experimental farms	One clerk.
Public gardens	Thirteen clerks.
Co-operative department	Forty clerks.
Excise department	Eighteen clerks.

EMBEZZLEMENT IN MORADABAD MUNICIPALITY.

*185. **Babu Bhagwati Sahai Bedar**: Is it a fact that some cases of embezzlement have been detected in the Moradabad municipality? If so, how many cases were sent to the court and with what result?

The Hon'ble Nawab Muhammad Yusuf: Only one case of embezzlement was detected in the Moradabad municipality. The offender was prosecuted and sentenced to fifteen days' imprisonment.

CITY MAGISTRATE AND CHAIRMAN, MUNICIPAL BOARD,
ALMORA.

*186. **Pandit Badri Dutt Pande**: Does Government know that the City Magistrate, Almora, called all the members including the chairman, municipal board, to his open court to hold an inquiry regarding some resolutions about the election of the chairman? Was this at the instance of the deputy commissioner? Under what law was the inquiry made?

The Hon'ble Nawab Muhammad Yusuf: A majority of the members of the municipal board wrote to the deputy commissioner that a resolution relating to the election of a new chairman was not a valid resolution of the board. The deputy commissioner was on tour and asked the sub-divisional officer to ascertain the facts. The latter requested all the members to see him in court, but made it clear in his letter that it was entirely optional for them to come or not.

*187. **Pandit Badri Dutt Pande**: Did the chairman and his party refuse to associate themselves with this inquiry?

The Hon'ble Nawab Muhammad Yusuf: There was no chairman. The members who were responsible for the resolution which was said not to be genuine did not appear in court and gave no information.

MUHAMMADAN SEATS AND NOMINATED MEMBERS IN THE DISTRICT BOARD, NAINI TAL.

*188. **Pandit Badri Dutt Pande :** (a) How many seats are reserved for the Muhammadans in the district board of Naini Tal?

(b) How many members are nominated by Government? Who are they?

(c) Who is the Government nominee for Christians and Anglo-Indians?

The Hon'ble Nawab Muhammad Yusuf : (a) Nine.

(b) (i) Two.

(ii) Babu Kashi Ram, Arya and Khan Sahib Shaikh Abdul Qayum.

(c) There is none.

TRAVELLING ALLOWANCE TO MEMBERS OF BHOWALI SANATORIUM COMMITTEE.

*189. **Pandit Govind Ballabh Pant :** Do members of the Council serving on the Bhowali Sanatorium Committee get any travelling and halting allowances? If so, at what rate?

The Hon'ble Rai Rajeshwar Bali : (a) No.

(b) Does not arise.

KOTABAGH IN NAINI TAL DISTRICT.

*190. **Pandit Govind Ballabh Pant :** It is a fact that the irrigation of Kotabagh in the Naini Tal district completely broke down during the last rains? Is it a fact that no water ran in the channels and distributaries in Kotabagh circle for some weeks? Had the residents of Kotabagh and the neighbouring villages to use pack ponies for fetching drinking water from long distances during that interval? If so, why were not necessary repairs made in time? Have the crops there suffered for want of irrigation? Will the cultivators get any compensation? Is it a fact that the Naini Tal-Kotabagh road did not admit of any traffic during the last rains and there was no direct means of communication between Kotabagh and Naini Tal? Were the Superintendent, Government estates, and the courts having jurisdiction at Kotabagh located in Naini Tal during those days?

The Hon'ble Sir Sam O'Donnell : 1. The canals of the Kota Dun tract are aligned on steep hill-sides and, during the abnormal rainfall of August, 1923, when 18 inches of rainfall was recorded in Naini Tal, these small masonry-lined canal systems were breached by land-slides in nine places with very extensive damage to the headworks. Permanent repairs were not possible during the rains owing to want of necessary hill labour and the impossibility of transporting materials across the heavily-flooded streams which isolate the Kotabagh tract. The Engineering department of the estates were at site within twenty-four hours of the damage being done and within 11, 24, and 36 days, respectively, three of the four canal systems were running under temporary arrangements, which consisted of carrying the canals over the land-slides on timber aqueducts. The commissioner, writing on November 7, said that "the permanent repairs to the canals had been commenced and that it was hoped to complete all the

repairs before December 15, which would be in time to give supplies for the *rabi* crops." The total damage to canals is roughly estimated at Rs. 85,000 and repair estimates amounting to Rs. 25,000 have been sanctioned from the available funds from the current year's budget of the estates.

2. Damage was done to late sown rice only in four of the upper villages of the tract in which, owing to the excessive damage to the upper Dechauri canal, water could not be given even by temporary arrangements. Remissions of rental will be given where the damage exceeds eight annas in the rupee. The crops in the lower villages of the tract are in excellent condition. Every possible step was taken to prevent damage to crops by the specially detailed staff at site, and by the running of the canals under the temporary repairs and arrangements.

3. There are no wells in the tract, and the canals provide the ordinary supply of drinking water. During the short interval which inevitably elapsed before the temporary arrangements described above were in working order, the villagers had to get their drinking water from adjacent torrents. The greatest distance which they had to go was one and a half miles.

4. The Kotabagh-Naini Tal road became impassable to traffic during the rains; direct communication therefore ceased between Kotabagh and Naini Tal where the superintendent and the courts were. The road is under the district board of Naini Tal which made no temporary arrangements to re-establish communications during the rains.

*191. **Pandit Govind Ballabh Pant:** [*Postponed at the request of Government till the meeting of the Council on December 20, 1927.*]

COOLIE AGENCIES IN NAINI TAL.

*192. **Pandit Govind Ballabh Pant:** Will the Government be pleased to state what were the amounts and property held by the various coolie agencies in the Naini Tal district at the time of the abolition of coolie *utar*? How were the said funds disposed of? Were they made over to the villagers who had contributed them and were they consulted about their use? Is anything still outstanding? If so, with whom?

The Hon'ble Sir Sam O'Donnell: (a) Rupees 1,930 in cash and five buildings.

(b) The cash balance included the balance of the bania dabal (or bania cess) and certain miscellaneous receipts of the Agency Fund, such as fines imposed under the old *utar* rules. It would have been very difficult then, and it would be impossible now, to allocate the small balance in the fund to its various sources, and still more to have distributed any part arising from villagers' contributions to the individual contributors.

(c) The balance of the old fund was, therefore, carried over into the new fund, to which Government contributed and was used for the general purposes of providing coolie transport to travellers in the Naini Tal district, repairing the agency buildings, etc.

(d) This balance has been spent long ago. The existing balance in the fund consists of subsequent contributions to it made by Government.

HEAD QUARTERS FOR PATWARIS IN HILL CIRCLES.

*193. **Pandit Govind Ballabh Pant:** Have any head quarters been fixed for the patwaris in hill circles? Do they receive any allowance by

way of rent for their quarters? Have they to discharge the duties of police officers in their respective circles? Has the Government issued instructions directing the patwaris to check birth and death registers maintained by padhans when the patwaris visit villages instead of the padhans taking them to the patwaris? Is it a fact that the patwari cannot check or verify entries except when he is in the village? Have these registers to be taken to the patwaris even when no entry has been made during the month?

The Hon'ble Sir Sam O'Donnell: (1) Yes.

(2) No.

(3) Yes.

(4) No.

(5) No.

(6) Yes.

NINGLAT AND BHOWALI BLOCKS.

*194. **Pandit Govind Ballabh Pant:** Have compartments I and II Ninglat block and 22 and 24 Bhowali block near Bhowali been closed? If so, why? Are these the nearest blocks to Bhowali? Were people of the locality or the Kumaun Forest Committee consulted before they were closed? Have the inhabitants of Bhowali and the neighbouring villages requested the authorities to cancel the order closing them? Is there any wire fence to prevent the cattle from entering these areas? Have a number of cattle been seized and sent to pounds for entering the said blocks?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes. The areas in compartments 1 and 2 Ninglat, having been seriously damaged by incendiary fires in 1921, were closed to grazing for a period of twelve years, with effect from May 28, 1923, for the purpose of reproduction, vide Government notification No. 579/XIV—890, dated May 28, 1923.

The areas in compartments 22 and 24 of Bhowali block, having been wilfully burnt by villagers in 1911, were closed to grazing for a period of twenty years, with effect from October 1, 1911, vide Government notification No. 92/XIV—110, dated March 12, 1912. Two hundred and fifty-three out of 367 acres were closed.

Yes.

The Kumaun Forest Committee was constituted in 1925, and the areas were closed in 1911 and 1923.

The areas are in old reserve, and paragraph 4 of the general rules for the exercise of rights in old reserves, printed in Government notification No. 551/XIV—213—125, dated August 26, 1898, permits such closure.

The Deputy Commissioner, Naini Tal, certified that there exists in the neighbourhood sufficient other forest to satisfy the rights hitherto exercised in this area.

No such request is traceable.

Only compartment 1 Ninglat is wire-fenced. Compartments 22 to 24 Bhowali were originally partially wire-fenced, but the fence was much damaged by the 1921 fires, and subsequently, owing to lack of funds, the wire-fence has not been adequately maintained.

Yes. Impounding of cattle trespassing in Ninglat compartment 1 was affected in one or two cases this year when the owners thereof were not immediately forthcoming.

DAMAGE BY FLOODS IN NAINI TAL DISTRICT.

*195. **Pandit Govind Ballabh Pant:** Is it a fact that much damage was caused in parts of the Naini Tal district owing to the floods during the last rains? Was any help given to the sufferers? If so, what?

The Hon'ble Sir Sam O'Donnell: (a) The damage caused to land by the floods in last August is reported to be as follows:—

About 1,488 bighas in the Tarai and Bhabar Government estates and about five acres in Patti Malla Kota in the Naini Tal tahsil, besides other smaller areas damaged by slips.

(b) Damage to the extent of about Rs. 1,600 was also caused to other private property.

(c) Relief was given, wherever necessary, by remission of rent and grant of taqavi.

PROSECUTION OF M. ABDUS SAMAD KHAN, MEMBER, DISTRICT BOARD, SHAHJAHANPUR.

*196. **Maulvi Zahur-ud-din:** Does Government know that M. Abdus Samad Khan, a member of the Shahjahanpur district board, was recently prosecuted for selling cattle at a low price under section 409, I. P. C.?

The Hon'ble Nawab Muhammad Yusuf: Yes, he was acquitted.

*197. **Maulvi Zahur-ud-din:** Does the Government know that Thakur Shev Raj Singh, another member of district board, Shahjahanpur, also sold cattle at a very low price in his official capacity as member in charge of sale? What steps, if any, were taken against him? If none, why not? Did the chairman of the board inform the district authorities?

The Hon'ble Nawab Muhammad Yusuf: No case could be established.

*198. **Maulvi Zahur-ud-din:** In case Government has no knowledge of the matters referred to in the two preceding questions, does it intend to make inquiries?

The Hon'ble Nawab Muhammad Yusuf: Does not arise.

DISTRICT BOARD, BANDA AND ITS SECRETARY.

*199. **Babu Kishori Prasad:** Will the Hon'ble Minister for Local Self-Government be pleased to give the following information:—

- (i) On what grounds and by whom was Pandit Ram Dayal, late secretary, district board, Banda, dismissed during the year 1924-25?
- (ii) By whom and on what grounds was he re-instated?
- (iii) Was there any correspondence between the board and the Commissioner of Jhansi division regarding his dismissal and re-instatement?
- (iv) Will the Hon'ble Minister be pleased to lay the said correspondence on the table?

The Hon'ble Nawab Muhammad Yusuf: (1) He was dismissed on the ground of economy in order that the district engineer might be made secretary in addition to his own duties.

(2) The Government pointed out that the resolution dismissing the secretary was invalid under section 71, District Boards Act. The board re-instated the secretary.

(3) Yes.

(4) No.

*200. **Babu Kishori Prasad:** Is it a fact that paragraphs 47, 48 and 49 of the Audit inspection notes on the accounts of the district board, Banda, for the period 1925-26 contain the allegations that the resolutions No. 2 of July 27, 1925, and No. 3rd of a special meeting of the board on August 30, 1925, concerning the reinstatement of Pandit Ram Dayal were interpolated in the minute book and in resolution No. 20, dated October 4, 1925, the words "with effect from September 1," appear to have been added subsequently?

The Hon'ble Nawab Muhammad Yusuf: Yes.

*201. **Babu Kishori Prasad:** Has the Hon'ble Minister for Local Self-Government made any inquiry about the abovementioned allegations of the auditors, and, if so, with what result? Will he be pleased to lay on the table the result of such inquiry together with the steps taken thereon?

The Hon'ble Nawab Muhammad Yusuf: No.

*202. **Babu Kishori Prasad:** (i) Is it a fact that the said Pandit Ram Dayal has again been dismissed by the present board on the ground of incompetency?

(ii) Has the board applied to the Government for the formal sanction for his dismissal as required by section 71 (b) of the District Boards Act, 1922?

(iii) If so, has the said sanction been given to the board as yet?

(iv) If not, does the Government intend to give the required sanction in the near future?

The Hon'ble Nawab Muhammad Yusuf: (1) Yes.

(2) Yes.

(3) Yes.

(4) Does not arise.

SECRETARY, DISTRICT BOARD, SAHARANPUR.

*203. **Chaudhri Mangat Singh:** Is the present secretary, district board, Saharanpur, lent to board by the Government or appointed by the board itself?

*204. Did the Government ever order the secretary to retire? If so, when?

*205. Is he still a government servant?

*206. Has he ever been given extension of service by the commissioner? If so, how many times? And for what reasons?

*207. Did the board express any opinion relating to the extension of his service? If so, how many times?

*208. What was that opinion? Did the Commissioner of Meerut division agree with the opinion of the board or not? If not, on what grounds?

*209. Did the board protest against the interference of the commissioner in this matter? If so, with what result?

The Hon'ble Nawab Muhammad Yusuf: Inquiries are being made and a reply will be given at a later date.

WATER SUPPLY ARRANGEMENTS AT PIRAN KALYAR FAIR.

*210. **Khan Bahadur Shaikh Zia-ul-Haq:** (a) Is the Government aware that muddy water was used for drinking purposes owing to the insufficiency of water supply arrangements at the last grand Piran Kalyar fair where the number of pilgrims exceeded one lakh?

(b) Do Government intend to direct the Public Health department, United Provinces, to provide sufficient number of tube-wells on the occasion of the fair?

The Hon'ble Rai Rajeshwar Bali: (a) No.

(b) The matter is under consideration.

KAKORI PRISONERS.

*211. **Chaudhri Dharamvir Singh:** Will the Government be pleased to supply the following information in respect of each of the Kakori prisoners at present confined in jails? :—

(i) The number of interviews he was refused since the time of his conviction.

(ii) The number of times he was visited by non-official visitors.

(iii) Complaints, if any, made by him to the non-official visitors which were brought to the notice of the authorities by them?

*212. Will the Government be pleased to supply further information with respect to each of the Kakori prisoners about the following points? :—

(i) The different kinds of labour he was employed on after his conviction and the period for which he was so employed on each kind of labour.

(ii) The kind of labour on which he is employed at present (the latest time possible about which an answer can be given at the next meeting of the Council).

The Hon'ble Lieut. Nawab Muhammad Ahmad Sai'd Khan: A statement has been prepared which is available for inspection by the honourable member on reference to the Judicial Secretary to Government. A copy will be sent to the honourable member later.

NUMBER OF CASES AND CLERKS IN CIVIL COURTS, MEERUT.

*213. **Chaudhri Dharamvir Singh:** Will the Government be pleased to supply information as required by the following table? :—

Year.	Number of cases filed in Meerut civil courts during the year.	Number of clerks serving in these courts on December 31 of the year.
1917		
1919		
1921		
1923		
1925		
1926		

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A statement is laid on the table.

(See Appendix U, page 169.)

* 214. **Chaudhri Dharamvir Singh :** Is it the intention of the Government to increase the number of clerks in Meerut civil courts ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

PENSION TO ALI AHMAD KHAN OF ALLAHABAD.

* 215. **Khan Bahadur Hafiz Hidayat Husain :** (i) Did "Nawab" Ali Ahmad Khan of Allahabad sue the Secretary of State for India *in forma pauperis* in the court of the Subordinate Judge, Allahabad, for some relief in the nature of pension or of compensation in lieu of pension ?

(ii) Was any contract made between the "Nawab" and the authorities or was any understanding given to him before his services were drafted to the military ?

(iii) How many years' service did he put in under the Government and was he disabled while in military employ in Mesopotamia ?

(iv) Has any pension or gratuity been given to the "Nawab ?" If not, why not ?

The Hon'ble Nawab Muhammad Yusuf : (i) Yes.

(ii) No.

(iii) (a) He put in a total service of 13 years, 7 months, and 17 days, of which only 6 years, 3 months, and 26 days qualified for pension.

(b) Yes.

(iv) He has been given a gratuity of Rs. 150.

KALI CHARAN BLIND ASYLUM, BENARES.

* 216. **Babu Sampurnanand :** Is the Kali Charan Blind Asylum (or hospital), Benares, maintained out of funds placed at the disposal of the Government by the late Raja Kali Charan ? If so, what was the amount so bequeathed and what is the annual income therefrom ? Was the money bequeathed for an asylum or an eye-hospital ?

The Hon'ble Rai Rajeshwar Bali : This institution, which is properly called the Raja Kali Shanker's Blind Asylum, was established for destitute and helpless persons, more especially the blind. The Raja bequeathed Rs. 48,000 to yield a perpetual income of Rs. 2,400 a year.

* 217. **Babu Sampurnanand :** How many blind persons were treated at the hospital or admitted into the asylum in 1925 and 1926 ? What is the number of blind inmates of the asylum at present ?

The Hon'ble Rai Rajeshwar Bali : Ninety-five persons were admitted in 1925, 26 persons in 1926, and there are now 128 blind inmates of the asylum.

JURORS AND ASSESSORS IN BENARES.

* 218. **Babu Sampurnanand :** What was the total number of persons selected to serve as jurors and assessors in Benares this year ? Of this number how many were (a) graduates, (b) payers of income-tax or land-revenue, and (c) title-holders ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Seven hundred and five in all, of whom 127 were graduates, 221 zamindars, and five title-holders. Figures for income-tax payers are not available.

* 219. **Babu Sampurnanand :** Is it a fact that an intimation was sent through the police to the persons so selected on September 15 last to appear the next day at the court of the sessions judge to tender their objections, if they had any, to their being so selected?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Intimation was sent through the sub-inspector inside the city of Benares and through tahildars outside it.

* 220. **Babu Sampurnanand :** (a) Was this intimation sent only in Urdu?

(b) Was any arrangement made to explain the contents to gentlemen not knowing Urdu?

(c) Is it a fact that for want of knowledge of the contents, a large number of jurors and assessors who had no objections at all assembled at the court room and had to be sent back by the district magistrate who told them in Hindustani, "You have not been called here for *darshan*. Only those people are wanted who have any objections." How many people actually offered objections?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) No.

(c) No. 45.

* 221. **Babu Sampurnanand :** Was any place set apart for the gentlemen who were called to attend the court on the 16th to produce their objections and were any seating arrangements provided for them? Were seats provided for them in the court room?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No. There is only accommodation in the court for some 25 persons, i.e. for as many as usually come to court on these occasions to file objections.

* 222. **Babu Sampurnanand :** Is it a fact that the sessions judge ordered his peon to turn out of the court room all those proposed jurors and assessors who had entered it before 10 a.m. and that the order was complied with?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes. The sessions judge was occupied with work in which he required the services of the reader. Some 50 persons came into the court and kept on pressing round the reader in spite of the fact that the judge requested them to leave the court until the arrival of the district magistrate at 10 a.m. The judge was therefore compelled to have the court room cleared until he had finished his work and the district magistrate had arrived.

* 223. **Babu Sampurnanand :** Were the provisions of sections 322 and 324 of the Criminal Procedure Code complied with in this case? If so—

(a) when were the preliminary and the revised lists respectively hung up in the court houses of the district magistrate and of the district court;

(b) in what "conspicuous places in the town" were the preliminary and the revised lists or extracts therefrom respectively hung up and on what dates?

The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan: The Code of Criminal Procedure does not require the revised list to be posted up. The preliminary lists were hung up on the nazir's board on September 6 and on the notice board in the district judge's court room on September 13. A copy of the list was also sent to the kotwali and to each tahsil.

* 224 TO * 230. **Chaudhri Dharamvir Singh:** [*Postponed at the request of Government till the meeting of the Council on December 21, 1927.*]

MUNICIPALITIES EXEMPTING HANDWOVEN CLOTH FROM OCTROI.

* 231. **Pandit Bhagwat Narayan Bhargava:** Which municipalities in the United Provinces have exempted handwoven cloth from octroi duty?

The Hon'ble Nawab Muhammad Yusuf: Inquiries have been made and a reply will be given at a later date.

NATIONAL AND PATRIOTIC SONGS IN SCHOOLS AND COLLEGES.

* 232. **Pandit Bhagwat Narayan Bhargava:** Are national and patriotic songs used as prayer in Government high schools and colleges? If so, where? Will the Government lay a copy of the selected songs on the table?

The Hon'ble Rai Rajeshwar Bali: Yes.

Government high school, Gonda. The songs are unpublished.

Government Husainabad High School, Lucknow. The songs will be found in the booklets entitled "Tarana-i-Hind," part II, compiled by Maulvi Hamid Hasan Qadri and published by the School Book and Apparatus Dépôt, Lucknow, and "Swadesh Sangit," part II, published by the Indian Press, Limited, Allahabad.

National songs are used in the hostels attached to the Government High Schools at Etah, Mainpuri, Budaun, Basti, Deoria, and Srinagar (Garhwal) and the intermediate colleges at Etawah and Almora.

The Director of Public Instruction will be glad to show any honourable members who wish a copy of the books mentioned above and of the songs.

JHANSI TO BE A FIRST CLASS DISTRICT.

* 233. **Pandit Bhagwat Narayan Bhargava:** Is it a fact that Jhansi collectorate some years back had sent a representation to the Government through the proper channel requesting the Government to declare Jhansi to be a first class district? Is it a fact that it was withheld by the Commissioner? If so, why?

The Hon'ble Sir Sam O'Donnell: The answer to both parts is in the negative.

REVISION OF THE PRESENT MUNICIPALITIES ACT.

* 234. **Haj Abdul Qayum:** Will the Government be pleased to state when the Government asked for opinions from the various municipal

boards on the subject of the revision of the present Municipalities Act and which of the boards have not yet complied with this Government order and why ?

The Hon'ble Nawab Muhammad Yusuf : (a) November 13, 1925.

(b) The municipal boards of Hathras, Atrauli, Sikandra Rao, Chandausi, Allahabad, and Benares have not yet submitted their opinions.

(c) Government do not know the reasons.

* 235. **Haji Abdul Qayum :** Is it a fact that in spite of several reminders the Chairman of the Cawnpore municipality has not even laid the Government order before the board ? If so, what action does the Government propose to take to obtain the board's opinions on the subject of the revision of the Municipalities Act in the light of the experience gained by that municipality ?

The Hon'ble Nawab Muhammad Yusuf : (a) No.

(b) Does not arise.

* 236. **Haji Abdul Qayum :** When does the Government propose to put the draft amendments before the Council ?

The Hon'ble Nawab Muhammad Yusuf : The honourable member is referred to the answer to starred question No. 14 (c) of November 3, 1927.

GOVERNMENT'S ACTION ON INSPECTION NOTES OF CERTAIN MUNICIPALITIES.

* 237. **Haji Abdul Qayum :** Will the Government kindly state the action taken by the municipalities of Cawnpore, Benares, and Agra on the inspection notes submitted by Messrs. Elliott, Grant, and Bennett on the administration of these municipalities forwarded to them by the Government some years ago ?

The Hon'ble Nawab Muhammad Yusuf : These inspections were for the guidance of the municipality at the time when they were made. The financial circumstances of a large city change so rapidly that the Government do not think that any useful purpose will be served by a statement of action which was taken on inspections made five years ago.

MENTAL HOSPITAL, RANCHI.

* 238. **Pandit Govind Ballabh Pant :** What is the number of patients from this province in the Ranchi Mental Hospital at present ? What are their names, the places of their birth and circumstances of their families ? What is the annual contribution per head from public funds by this Government ? Is any other expenditure incurred by or for any patient otherwise ? If so, by whom ? What are the entertainments, games and sports provided for patients in Ranchi, Agra, and Bareilly mental diseases hospitals respectively ?

The Hon'ble Rai Rajeshwar Bali : (a) Fifty.

(b), (d), and (e). The statement will be shown to the honourable member.

(c) The annual contribution from this Government to the Ranchi Mental Hospital depends on the number of patients from this province and the total cost of running the hospital in a particular year. The contribution per head for 1925 was Rs. 2,077-5 and for 1926, Rs. 2,439.

(f) A statement is laid on the table.

(See Appendix V, page 170.)

AFFILIATION OF TRAINING COLLEGE, ALLAHABAD, WITH THE ALLAHABAD UNIVERSITY.

* 239. **Pandit Govind Ballabh Pant** : Has the Government arrived at any decision regarding the affiliation of the Training College, Allahabad, with the Allahabad University? If so, what?

The Hon'ble Rai Rajeshwar Bali : The matter is under consideration.

PUNITIVE POLICE IN BAREILLY.

* 240. **Maulvi Zahur-ud-din** : From what date is the punitive police posted in Bareilly?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : September 20, 1927.

* 241. **Maulvi Zahur-ud-din** : (a) What is its strength and (b) how has it been posted throughout the city?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Two sub-inspectors, four head constables, twelve naiks, and 100 constables, of the armed police.

(b) They are at present distributed between three city police stations and two temporary outposts at Kankartola and Jagatpur.

* 242. **Maulvi Zahur-ud-din** : Is the punitive police ordered to patrol the city at all or has it been ordered to remain in the different police stations ready for emergency?

* 243. What are the hours in which the above police is required to patrol the city and in what hours it is not so required?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : They provide patrols throughout the twenty-four hours.

* 244. **Maulvi Zahur-ud-din** : Have the local authorities drawn up a scheme according to which the charges are to be distributed over the city? If so, what is that scheme?

* 245. Is it proposed to tax the citizens per head or to tax their income? Or even to levy tax on houses?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The charges will be distributed in accordance with section 15 of Act V of 1861.

* 246. **Maulvi Zahur-ud-din** : Is it the intention of the local authorities to levy tax on certain mohallas and exempt others? If so, what mohallas are to be exempted?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Proposals of the local authorities under section 15(5) of the Police Act have not yet been received by Government.

RESOLUTION PASSED BY SUB-REGISTRARS' ASSOCIATION.

* 247. **Maulvi Zahur-ud-din** : Is it a fact that the United Provinces Sub-Registrars' Association in its meeting of April 16, 1927, passed several resolutions and submitted them to the Government?

The Hon'ble Nawab Muhammad Yusuf : Yes.

* 248. **Maulvi Zahur-ud-din :** (a) Has the Association's prayer in any of those resolutions been accepted by the Government ?

(b) If so, which of the prayers and to what extent ?

* 249. (a) Has the Association requested the Government not to make delays in filling up a post in any grade as soon as it falls vacant and to keep a candidate waiting long for promotion ?

(b) If so, has the Government granted this prayer ?

(c) If not, what answer has the Government given ?

(d) What are the objections of the Government on this point ?

* 250. (a) Has the Association asked the Government to allow the sub-registrars half the commission fee if they have to execute them out of office hours ?

(b) If so, has the Government accepted the prayer ?

(c) If not, what are the objections of the Government on this point ?

The Hon'ble Nawab Muhammad Yusuf : The resolutions are under consideration.

CONTROL OF THE BOAT BRIDGE ON SHRI GANGAJI.

* 251. **Babu Bhagwati Sahai Bedar :** Will the Government be pleased to state who controls the boat bridge on Shri Gangaji on the provincial road between Moradabad and Meerut at Tigri during the Garhmuktesar Ganges fair ?

The Hon'ble Nawab Muhammad Yusuf : The boat bridge on the Ganges at Tigri is controlled by the Public Works Department, district Moradabad.

* 252. **Babu Bhagwati Sahai Bedar :** Is the Government aware that the thekadar charges the crossing passengers who return the very day both ways and does not give them a return ticket for the day in accordance with the provisions of the Indian Ferries Act of 1877 ? If so, what action does the Government propose to take ?

The Hon'ble Nawab Muhammad Yusuf : The honourable member is referred to rule 3 of the rules made under section 15 of the Northern India Ferries Act and published with notification No. 252, dated March 16, 1925, which is observed by the thekadar.

AGREEMENT BETWEEN HINDUS AND MUSALMANS OF BARAGAON FOR OBSERVING *Janam Ashtmi* AND *Chehlum*.

* 253. **Babu Bhagwati Sahai Bedar :** Is it a fact that there was an agreement between Hindus and Musalmans of Baragaon, tahsil Powayan, in the district of Shahjahanpur, for observing *Janam Ashtmi* and *Chehlum* festivals in this year ? If so, did the Musalmans demand a change in it and the sub-divisional officer asked the Hindus to do so ? Will the Government kindly lay on the table a copy of this agreement ?

The Hon'ble Sir Sam O'Donnell : (a) Yes, there was an abortive agreement.

(b) No.

(c) The answer is in the negative.

* 254. **Babu Bhagwati Sahai Bedar** : Is it also a fact that some respectable Hindus of village Baragaon, tahsil Powayan, in the district of Shahjahanpur, were arrested by the sub-divisional officer on the night of the fast of *Shri Krishna Janam Ashtmi* at eleven? If so, what was the immediate necessity of their arrest and under what law were they arrested? Is it also a fact that some Musalmans too were arrested?

The Hon'ble Sir Sam O'Donnell : (a) Yes.

(b) To prevent a breach of the peace, which was likely to occur.

(c) Under the Criminal Procedure Code.

(d) Yes.

* 255. **Babu Bhagwati Sahai Bedar** : Is the Government aware that these people including old men were made to march on foot in the hot sun from Powayan to Shahjahanpur under the order of the sub-divisional officer? Is it true that the distance between these two places is 17 miles?

The Hon'ble Sir Sam O'Donnell : (a) The usual procedure was followed. The persons under arrest were sent to Shahjahanpur on foot under police escort.

(b) Yes.

* 256. **Babu Bhagwati Sahai Bedar** : Is it a fact that soon after these arrested persons reached Shahjahanpur, they were released by the district magistrate after taking their written statements? If so, will the Government be pleased to lay a copy of this statement on the Council table?

The Hon'ble Sir Sam O'Donnell : (a) Yes.

(b) The answer is in the negative.

Jain Jatra PROCESSION IN THE CITY OF MORADABAD.

* 257. **Babu Bhagwati Sahai Bedar** : Is it a fact that in September last the usual annual *Jain Jatra* procession in the city of Moradabad had been disallowed to pass with music by the local authorities this year although it was allowed since 1880?

If so, why was it done, and was it a temporary measure?

The Hon'ble Sir Sam O'Donnell : (1) Music was not allowed with the *Jain Jatra* procession last September

(2) Government have no information whether music was allowed with this procession since 1880.

(3) It was presumably done in the interest of communal peace. Government are unable to say whether the restriction will or will not be removed in future.

* 258. **Babu Bhagwati Sahai Bedar** : Is the Government also aware that—

(a) the route of the procession did not cover a distance of more than two furlongs;

(b) the function did not collide with any Muslim festival?

If so, will the Government inform the Council why the procession was made to be abandoned?

The Hon'ble Sir Sam O'Donnell : (a) Yes.

(b) Yes.

(c) The procession was abandoned presumably because its promoters were unwilling to comply with the orders of the local authorities.

REGISTRATION OF HOMOEOPATHIC MEDICAL PRACTITIONERS.

***259. Babu Bhagwati Sahai Bedar :** Will the Government be pleased to consider the advisability of—

- (a) registering the homoeopathic medical practitioners on certain conditions ;
- (b) creating a chair of this medical section in the universities ;
- (c) establishing an homoeopathic medical board under the control of the Inspector-General of Civil Hospitals, United Provinces ?

The Hon'ble Rai Rajeshwar Bali : This is an all-India question ; but this Government are examining the possibilities of any action on their part.

OFFICE OF THE DIRECTOR OF MALARIOLOGY.

***260. Babu Bhagwati Sahai Bedar :** (a) Is it a fact that the office of the Director of Malariology is in Lucknow ? Does he and his staff generally remain at Banbassa for a greater part of the month ?

(b) Does this entail increased expenditure in the shape of allowances to the officers ?

The Hon'ble Rai Rajeshwar Bali : (a) (i) Yes. The office of the Assistant Director of Public Health (Malariology), United Provinces, is at Lucknow.

(ii) Since February, 1927 the officers of the Malaria branch have not yet resided at Banbassa except for very short periods during inspections.

(b) Does not arise.

NOMINATION OF UNANI PHYSICIANS TO THE BOARD OF INDIAN MEDICINES.

***261. Mirza Muhammad Sajjad Ali Khan :** With reference to the Board of Indian Medicines, will the Government be pleased to state—

- (a) The names of Unani physicians who have been nominated to the Board ?
- (b) Was any attempt made to secure representatives of each school of Unani medical practitioners of Lucknow and not from a single branch of it to avoid the formation of a family clique ?
- (c) Is it a fact that all the four nominated Unani physicians (1) are of the Jhawai Tola school, (2) belong to the Sunni sect, and (3) stand in the relation of pupil and teacher or father's pupil to each other, respectively ?
- (d) How is it that none of the Lucknow Unani physicians of the Shia groups of (1) Hakim Miran Sahib, (2) Khan Bahadur Hakim Nazir Hasan Khan, (3) Hakim Munnay Agha, (4) Hakim Ahmad Hasan, (5) Hakim Muzaffar Husain and others has been excluded both as a class and a sect ?
- (e) Under what circumstances and for what reasons the recommendations of the president of the Board of Indian Medicines to nominate a Shia physician on that board were not accepted ?

(f) Do Government propose to take any steps to secure Shia representations on the board?

The Hon'ble Rai Rajeshwar Bali : (a) The honourable member is referred to page 368-A of the Civil List.

(b), (c) and (d) It was not possible to give representation to every sect or school of hakims. The persons appointed do not belong to a single family or school.

(e) The nominations were made before the board was constituted or its president appointed.

(f) The Government cannot admit the principle that every community and sub-community should be represented on the board: but it will be found that previous to the death of Hon'ble Syed Al-i-Nabi, the Shia community was represented.

***262. Mirza Muhammad Sajjad Ali Khan :** (a) Will the Government be pleased to state the total amount allotted by the Board of Indian Medicines during 1926-27 as aid for charitable distribution of medicines and to mention the names of the Unani physicians who received such aid, and also which of them are Shias and Sunnis?

(b) Is it a fact that none of the Shia physicians have been allowed any aid for their charitable dispensaries?

(c) What is the total amount of the fund given in aid to (1) Sunni and (2) Shia physicians in respect of the charitable dispensaries run by each?

The Hon'ble Rai Rajeshwar Bali : (a) The total amount distributed by the board as grant-in-aid in 1926-27 was Rs. 50,000. It will serve no useful purpose to give a list of the names of the numerous Unani physicians who received the grant. There is no record to show which of these were Sunnis or Shias.

(b) The answer is in the negative.

(c) The information is not available.

CAWNPORE RIOTS.

***263. Babu Uma Shankar :** (a) Will the Government be pleased to say who was the city kotwal of Cawnpore when recently the Cawnpore riots took place?

(b) Is it a fact that the Hindus complained to the authorities including the Commissioner about the partiality of the kotwal and his Muslim second officer?

(c) Will the Government be pleased to say if the Government took any action against the said police officers?

(d) Will the Government be pleased to give the number of Hindus and Muhammadans dead or wounded?

(e) Will the Government be pleased to state if any trace has been found of Muslim ruffians who went to the houses and bungalows of Rai Bahadur Babu Anand Sarup, Rai Bahadur Babu Vikramajit Singh and Lala Dewan Chand? If so, were any of these arrested? If not, why not?

The Hon'ble Sir Sam O'Donnell: As a number of cases connected with these riots are pending in court, Government do not think it fitting to make any statement during the pendency of such cases.

BABU GANESH CHANDRA GHOSE.

*264. **Pandit Badri Dutt Pande:** (a) Is it a fact that Babu Ganesh Chandra Ghose, a detenu confined in this province, was not even allowed leave to see his sick mother?

(b) If not, why?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Permission was refused by the Government of Bengal, in whose sole discretion the matter lies and to whom any questions on the subject should be addressed.

PROCEEDINGS UNDER SECTION 107, C. P. C., IN TAHSILS ATRAULI AND SIKANDRA RAO.

*265. **Thakur Shiva Shankar Singh:** Will the Government be pleased to state the number of residents of tahsils Atrauli and Sikandra Rao respectively, district Aligarh, against whom proceedings under section 107, Criminal Procedure Code, were taken during each of the years 1925, 1926 and 1927?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: A statement is laid on the honourable member's table.

(See Appendix W, page 170.)

ALLEGED EXACTIONS BY THE ZAMINDARS OF BHIKAMPUR.

*266. **Thakur Shiva Shankar Singh:** Is it a fact that a large number of applications have been filed in the court of the District Magistrate, Aligarh, during the last six months complaining against the zamindars of Bhikampur, tahsil Atrauli, district Aligarh, about excess realization of rent and the refusal of the zamindars to grant receipts for the payment of rent? If so, what is the number of such applications and applicants?

*267. Have other allegations been also made by the tenants in their applications? If so, what is the nature of such allegations?

*268. Is it a fact that a number of tenants waited upon the Collector of Aligarh and the Commissioner of Agra division in connexion with their grievances, and with what result?

The Hon'ble Sir Sam O'Donnell: The information asked for is not yet available. A reply will be given at a later date.

CASE OF RAZA AHMAD KHAN, SUB-INSPECTOR OF POLICE.

*269. **Pandit Nanak Chand:** (a) Is it a fact that Raza Ahmad Khan, Station Officer, Pahasu, Khurja sub-division, district Bulandshahr, made a first report against about twenty persons on February 19, 1927 for assaulting him and his party for the purpose of rescuing certain persons alleged to be under arrest?

(b) Is it a fact that the said sub-inspector was suspended on February 25, 1927? If so, what were the grounds of suspension?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) Yes.

(b) Yes, on the ground that he allowed three accused persons to escape from police custody.

*270. **Pandit Nanak Chand:** (a) Is it a fact that the following remarks of the sessions judge among others find place in his appellate judgement, dated July 15, 1927, in Asad Ullah and others *versus* King-Emperor:—

“I find that the Station Officer, Raza Ahmad Khan, had cut a very sorry figure in the case throughout; not only this, but he had told deliberate lies wherever the shoe pinched. It was he who tried in his report, Ex C, to implicate a large number of innocent persons in the case; it was he who had not given to the court a true and correct version of the whole affair; it was he who failed in his duty as a police officer in marching off arrested persons without taking sufficient precautions to prevent their escapes; and lastly, if the story as told by him be taken to be true, he showed deplorable lack of grit and foresight as he could not prevent the escape of three arrested persons when they were being taken bound and secured and when he was armed and had sufficient force with him; and it is entirely due to him that so much trouble and intricacy have cropped up in the case . . . a copy of this judgement will be sent to the Superintendent of Police, Bulandshahr?”

(b) When and what action, if any, has been or is proposed to be taken against the sub-inspector? If not, why?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) Yes.

(b) An adverse entry has been made in the sub-inspector's character roll.

COMPLAINT FILED BY MUHAMMAD SIDDIQ IN THE COURT OF
A SPECIAL MAGISTRATE, BULANDSHAHR.

*271. **Pandit Nanak Chand:** (a) Is it a fact that one Muhammad Siddiq filed in the court of Chaudhri Nathu Ram Special Magistrate, district Bulandshahr, a complaint under section 395, Indian Penal Code, against certain persons and the accused set up an *alibi* with the allegation that on December 7, 1925 they had joined the funeral of Wajid Ali?

(b) Is it a fact that the accused in the case under section 395, Indian Penal Code, were acquitted and the case against the complainant thereof was started under sections 195 and 217, Indian Penal Code, and the accused in the latter case was committed to the court of session where the judge on detecting that Wajid Ali's date of death has been changed into December 17, 1925 in several documents on the mutation file, suggested to the district magistrate to get an inquiry made about the suspected forgery? What order, if any, did Mr. Minson, Collector and District Magistrate, pass on receipt of the letter of the sessions judge?

(c) Is it a fact that an inquiry was made by a deputy collector, who submitted a report to Khan Bahadur Maulvi Rafi-ud-din Ahmad District Magistrate, against a Muslim arranger? If so, what action, if any, disciplinary or otherwise, was taken against the official reported against?

Will the Government be pleased to lay on the table a copy of the deputy collector's report with the district magistrate's order thereon?

(d) Is it a fact that another criminal case was instituted against Muhammad Siddiq for using forged documents as genuine? Was the attention of the court drawn by the accused to two other doubtful entries in the documents on record about Wajid Ali's death? If so, when, and have any inquiries been made about the said entries?

(e) If the answers to parts (a) to (d) or any of the said parts be in the negative, then will the Government state the facts ascertained by them?

The Hon ble Sir Sam O'Donnell : (a) Yes.

(b) Yes. Mr. Minson ordered an inquiry to be made.

(c) Yes. No action was taken against any official, as the responsibility for the forgery could not be definitely fixed. Government are not prepared to make public official documents of the kind.

(d) and (e) A case has been instituted which is still *sub judice*. The Government can therefore give no further information.

APPEALS DISPOSED OF BY KHAN BAHADUR MAULVI RAFI-UD-DIN AHMAD.

*272. **Pandit Nanak Chand :** Will the Government be pleased to lay on the table a statement in the following form regarding appeals from the judgements of lower original courts heard and disposed of by Khan Bahadur Maulvi Rafi-ud-din Ahmad, Collector, and other deputy collectors to whom they were transferred in Bulandshahr district from January 16, 1927 to the end of September, 1927, showing the number of appeals accepted and rejected by each appellate court from the judgements of the various lower courts :—

Name of the officer hearing appeal.	Number of revenue appeals.					Number of criminal appeals.				
	Name of lower court.					Name of lower court.				
	A	B		D	Total.	A	B	C	D	Tot .

The Hon'ble Sir Sam O'Donnell : The answer is in the negative.

EXCISE OFFENCES IN BULANDSHAHR.

*273. **Pandit Nanak Chand :** (a) Is it a fact that Assistant Excise Commissioner, Agra range, found the weights of opium packets short at Sikandrabad opium shop on April 24, 1927 and reported it to the Collector, Bulandshahr, for a prosecution under section 9 of the Opium Act?

(b) What action, if any, was taken by the Collector?

(c) Was the vendor prosecuted? If not, why?

(d) Who were excise inspector of the circle and the excise officer respectively?

(e) Is it a fact that the offence was compounded for Rs. 2 only on the recommendation of the excise officer?

The Hon'ble Thakur Rajendra Singh : (a) The Assistant Excise Commissioner, Agra, found sixteen one anna opium packets weighing 15/16 tolas and recommended that the vendor (Siri Ram of Sikandrabad) should be fined by way of composition.

(b) The matter was inquired into thoroughly and it was found that the shortage was due to dryage on account of hot season and its contact with the paper. Although no action was called for, yet from the administrative point of view the licensee was made to pay Rs. 2 as composition money.

(c) No. The Assistant Excise Commissioner did not recommend prosecution, nor was it necessary.

(d) M. Gias-ud-din was excise inspector of the circle and Saiyid Nisar Haider Zaidi, Deputy Collector, was excise officer.

(e) Yes.

*274. **Pandit Nanak Chand :** (a) Is it a fact that the country liquor vendor at Anupshahr was convicted under section 54 of the Excise Act in the year 1925-26 for adulteration of liquor?

(b) Is it a fact that the same vendor still holds licence? If so, will the Government be pleased to state why it was not cancelled under section 34 of the Excise Act and rule 78-A of the Excise Manual, and why was it renewed for the year 1926-27?

(c) Was this fact brought to the notice of the Collector or the excise officer by the excise inspector of the circle at the time of settlement of the shops?

(d) Is it a fact that at the time of the settlement of the shops for the year 1927-28 the point was again brought to the notice of the excise officer, whereupon the inspector was required to explain why he made such a report?

(e) If the reply to any or all the preceding parts be in the negative, will the Government state the facts as ascertained by them?

The Hon'ble Thakur Rajendra Singh : (a) Yes.

(b) Yes. The collector did not consider it necessary to cancel his licence. His licence was renewed for the year 1926-27 on his executing a bond for working satisfactorily.

(c) No.

(d) The excise inspector of the first circle in whose circle this shop is not situated commented on the working of this shop and he was asked to explain why he went out of his jurisdiction.

(e) Does not arise.

*275. **Pandit Nanak Chand :** (a) Is it a fact that the Excise Commissioner has issued instructions to the collectors to deal with cases of shortage of stocks of intoxicants very seriously?

(b) Were there any such cases reported against the country liquor shops at Bulandshahr in 1927?

(c) If so, what action, if any, was taken against the licensees?

The Hon'ble Thakur Rajendra Singh : (a) Yes.

(b) Two cases of shortage of stock were reported. The Collector did not consider any action necessary.

TRANSFERS OF NAIB-TAHSILDARS AND SUPERVISOR QANUNGOS IN BULANDSHAHR DISTRICT.

*276. **Pandit Nanak Chand :** (a) Will the Government be pleased to lay a statement on the table showing the transfers of naib-tahsildars and supervisor qanungos with their respective names and causes of transfer and travelling allowance paid to them from one tahsil to another in Bulandshahr district from April 1, 1926 to April 30, 1927 ?

(b) What is the number of transfers on equal pay of ministerial officials in Bulandshahr district including muharrirs peshi of honorary courts from October 1, 1926 to the end of June, 1927 ? What amount of travelling allowance was paid for these transfers ?

What accounts for so many transfers ?

(c) Who were the collectors and officers in charge, and for what periods respectively from April 1 to June 30, 1927 ?

(d) Is it a fact that Government issued instructions to district officers in 1922 or 1923 to minimize the number of transfers on equal pay ?

(e) What is the number of transfers on equal pay of officials from one post to another at Anupshahr, Khurja and Sikandrabad tahsils and at Bulandshahr from tahsil to collectorate and vice versa as well as from one post to another at tahsil and collectorate from October 1, 1926 to the end of June, 1927 ? What was the object of these transfers ? Do Government approve of such frequent transfers ?

The Hon'ble Sir Sam O'Donnell : (a) The total number of such transfers was twelve. The total amount of the travelling allowance paid was Rs. 231-4. Government have made inquiries and are satisfied that the transfers were in the interest of the public service. They do not consider that it would serve any useful purpose to give further details.

(b) Forty-three. Rs. 373-15. The interest of the public service

(c) By April 1 is understood April 1, 1926.

Collector—Khan Bahadur Maulvi Rafi-ud-din Ahmad.

Officer in charge—S. Nasir Haider Zaidi

(d) Government cannot trace any such order.

(e) At Anupshahr, Khurja and Sikandrabad 30, at Bulandshahr 13. In the interest of the public service. Yes, as the transfers were necessary.

CONSTRUCTION OF DRAINS AT KHANPUR BY MR. ABDUL WAHID KHAN KHALIL, SUB-DIVISIONAL OFFICER.

*277. **Pandit Nanak Chand :** (a) Is it a fact that Mr. Abdul Wahid Khan Khalil, Sub-Divisional Officer, got drains constructed at Khanpur, Anupshahr tahsil, under the supervision of Sakhawat Ali Shah, sarpanch, under suspension, by a mason imported from Moradabad district ? If not, what are the facts as ascertained by the Government ?

(b) What was the estimated cost of the drains ? Were any tenders invited ? If not, why ? What amount has been spent on the drains ? When were the drains completed ?

(c) Was any engineer or district medical officer of health consulted about the plans? If not, why?

(d) What is the condition of the drains after the rains?

The Hon'ble Nawab Muhammad Yusuf: Inquiries have been made and an answer will be given at a later date.

SHOPS IN COLLECTORATE COMPOUND, BULANDSHAHR.

*278. **Pandit Nanak Chand:** (a) Is it a fact that as a rule the date of the sale of contracts for keeping various shops in collectorate compound, Bulandshahr, is advertised in *District Gazette*? Was this practice followed this year? If so, to what extent?

(b) Is it a fact that a Muslim knife vendor and a Muslim spectacle vendor who used to carry on their business in collectorate court compound on payment of eight annas each per diem were granted annual contracts at Rs. 7 and Rs. 10 respectively? If so, why was not the sale of these contracts advertised and the same given by auction?

The Hon'ble Sir Sam O'Donnell: (a) Yes. There is no rule, but this is usually done. This practice was followed this year in case of all *thekas*.

(b) There was no regular knife vendor or spectacle vendor in the collectorate compound. If any such persons came and were found selling their wares in the compound eight annas per diem used to be charged. The knife vendor was given a contract for Rs. 7 per annum last year by Mr. Acton, and this was continued this year also, when the spectacles vendor was also given a contract for Rs. 15. The income under these heads in previous years was less than the sum for which the contracts have now been given. There is still no monopoly, and if any other person comes and is found selling, he is charged. There is no competition for such stray sales, and hence contracts for their vend are not advertised.

*279. **Pandit Nanak Chand:** (a) Is it a fact that a *nanbai* applied for permission to open a shop for the sale of preparations of meat, etc., for the convenience of Muslim litigant public and it was rejected on March 22, 1927, and a Hindu *halwai* shop was auctioned for Rs. 1,025 on March 24, 1927?

(b) Is it a fact that a Muslim *nanbai* applied again on April 25, 1927 for keeping a shop as above and offered to pay Rs. 70 per annum as fees for the same, but Khan Bahadur Maulvi Rafi-ud-din Ahmad Sahib, Collector, granted the application at Rs. 50 per annum? If so, why was the sale of shop not advertised and auctioned, and why was a further concession granted?

(c) Is it a fact that on the diversion of a part of his business to the Muslim shop the Hindu *halwai* contractor applied on May 16, 1927 for cancellation of his contract or reduction in the contract fees due from him and again on May 19, 1927 for the cancellation of his contract or re-sale of the shop, supported by a recommendation from the officer in charge, Nazarat? Is it a fact that both applications were rejected by the collector?

The Hon'ble Sir Sam O'Donnell: (a) Yes. Permission to cook meat in the existing shop was refused, but permission to sell *roti, dal, tarkari*

and other similar things was allowed. A Hindu *halwai* shop was auctioned for Rs. 1,025.

(b) Yes; but he wanted to include meat, which was not allowed. Excluding meat he accepted the *theka* for Rs. 50, which was given. No concession was granted. No sale was advertised, as without sale of meat no Muslim *nanbai* would like to take a *theka*. Similarly, a Hindu tea and biscuit shop was given a contract. There is no competition for these shops and hence there was no need for advertisement.

(c) No. The cancellation and re-sale of the shop were accepted on July 2, 1927, and reduction in the contract fee was rejected.

NAIB-TAHSILDARS SERVING UNDER M. MUHAMMAD HAYAT,
TAHSILDAR.

*280. **Pandit Nanak Chand :** (a) Will the Government be pleased to lay a statement on the table giving the names of the various naib-tahsildars who have served under M. Muhammad Hayat, tahsildar, in the various tahsils in Bulandshahr district with the dates of their respective postings, transfers and the causes of transfers?

(b) Do the Government approve of frequent transfers?

The Hon'ble Sir Sam O'Donnell : (a) No. Since January 10, 1922 eight naib-tahsildars have served under this officer: one has been promoted, three transferred to other districts by the Commissioner, three transferred within the district in the interest of the public service; the eighth is still with him.

(b) No.

*281. **Pandit Nanak Chand :** (a) Is it a fact that some months ago M. Muhammad Hayat, tahsildar, submitted a report to Khan Bahadur Maulvi Rafi-ud-din Ahmad, Collector, to the effect that M. Kifayat Muhammad, his naib-tahsildar, had asked him (tahsildar) to get a monthly amount fixed by the registrar qanungo for him (the naib) and the tahsildar having refused to do so, his naib quarrelled with him and the said report was sent to the Sub-Divisional Officer, Khurja, for inquiry? If so, was the inquiry dropped? If so, why?

(b) Is it a fact that the naib-tahsildar made some counter allegations against the tahsildar? If so, to what effect?

(c) Is it a fact that tahsildar and naib-tahsildar submitted a joint application to Sub-Divisional Officer, Khurja, to the effect that they had compromised and that no inquiry was necessary? Will the Government be pleased to lay a copy (1) of the joint compromise application, (2) of the tahsildar's report referred to in part (a), and (3) of the naib-tahsildar's explanation or allegations, if any, on the table?

(d) If the reply about any facts mentioned in parts (a) to (c) be in the negative, then will the Government be pleased to state the facts as ascertained by them?

The Hon'ble Sir Sam O'Donnell : (a), (b) and (c) The answer is in the negative.

(d) The Government have inquired into the facts and are satisfied that the facts alleged are incorrect. They do not propose to make any further statement.

**CASE OF ASHRAF ALI, PAID APPRENTICE IN BULANDSHAHR
TREASURY.**

***282. Pandit Nanak Chand :** (a) Is it a fact that Ashraf Ali, paid apprentice, while officiating as stamp ahlmad, erased entries against treasury rules in Bulandshahr treasury double lock stamp register ?

(b) Did the collector receive any report in this connexion ? If so, what orders did he pass on that report ? Has Ashraf Ali been again appointed as stamp ahlmad ?

The Hon'ble Sir Sam O'Donnell : (a) Yes.

(b) Yes. He was warned. Yes.

**RECRUITMENT OF PAID APPRENTICES FOR MENIAL POSTS IN
COLLECTORATES**

***283. Pandit Nanak Chand :** Are paid apprentices recruited for menial posts in collectorates ? If not, how was Hukum Singh, seniormost apprentice, appointed as record lifter in Bulandshahr collectorate ?

The Hon'ble Sir Sam O'Donnell : No. Hukum Singh, paid apprentice, was appointed record lifter as he was unqualified educationally. The question whether he is entitled to appointment on the clerical staff is under the consideration of the Commissioner.

CASE OF PIYARE LAL, AHLMAD, AT BULANDSHAHR.

***284. Pandit Nanak Chand :** (a) Is it a fact that one Piyare Lal who held a non-pensionable post of town fund ahlmad at Bulandshahr was recommended to the Commissioner for exemption from the age-limit rules on his appointment to the pensionable post of naib-nazir ?

(b) Is it a fact that Sultan Haider Zaidi, an absolute outsider (aged about 30 years), cousin of the then officer in charge of the combined office, was appointed town fund ahlmad in place of Piyare Lal ?

(c) Is it a fact that on the rejection of the recommendation of Piyare Lal for exemption from age-limit he was nominally appointed to a menial pensionable post of record lifter while he was actually working as naib-nazir and was later on promoted to the pensionable post of arranger, when Sultan Haider Zaidi was nominally appointed as record lifter, while he actually worked as town fund clerk and later on he was also promoted to the post of arranger ?

(d) Do Government approve of the method adopted in nullifying the effect of Commissioner's rejections of recommendation in the case of Piyare Lal and in avoiding to obtain exemption from age-limit rules in the case of Sultan Haider Zaidi ?

(e) Is it a fact that Hukum Singh, seniormost apprentice, applied for the certified copy to prefer appeal against the appointment of Sultan Haider Zaidi and the application was rejected ? If so, why ?

The Hon'ble Sir Sam O'Donnell : Government are making further inquiries.

**CASE OF RAGHUNATH SAHAI, JUDICIAL MUHARRIR,
BULANDSHAHR.**

***285. Pandit Nanak Chand :** (a) Is it a fact that Raghunath Sahai, judicial muharrir, Bulandshahr, was suspended ? If so, why ? How long had he worked as judicial muharrir ?

(b) Is it a fact that the tahsildar had recommended that an assistant be given to help the said overworked judicial muharrir? If so, was any assistant appointed? If not, why?

(c) Is it a fact that Mahmud Khan, who was appointed to officiate on the suspension of Raghunath Sahai, was given an assistant by the Collector?

The Hon'ble Sir Sam O'Donnell : (a) Yes, for bad work and many other irregularities reported by the tahsildar. Raghunath Sahai worked as a judicial muharrir for six years.

(b) Yes. Yes. Does not arise.

(c) No. The assistant had already been given before he took over from Raghunath Sahai.

***286. Pandit Nanak Chand :** [*Postponed at the request of Government till the meeting of the Council on December 21, 1927.*]

STAMP VENDORS IN THE BULANDSHAHR DISTRICT.

***287. Pandit Nanak Chand :** (a) What is the number of stamp vendor licensees fixed for Bulandshahr district?

(b) Were any stamp vendors, who were also petition-writers, required to give up one of the two classes of works on the recommendation of Mirza Nur-ud-din Jahangir Qadar?

(c) Will the Government be pleased to lay on the table a copy of the said recommendation and state the number of stamp vendors at the time of the recommendation?

(d) How many of such stamp vendors elected to give up sale of stamps and petition-writership respectively? How many of the stamp vendors who ceased to act as such were Hindus?

(e) Were any, and, if so, how many, stamp vendors appointed in the places of stamp vendors who gave up this work? How many of newly appointed stamp vendors were Muslims?

(f) What was the object of the recommendation of Mirza Nur-ud-din Jahangir Qadar?

The Hon'ble Sir Sam O'Donnell : The officer named reported that petition-writers who were also stamp vendors charged higher rates than those who were not; and also that fraud of various kinds was facilitated thereby. Accordingly, the licences of six vendors (four Hindus and two Muslims) were cancelled. Under the orders of the Board of Revenue, the Collector has since restored these licences. For further details, the honourable member is referred to question No. 91 asked by Pandit Brijnandan Prasad Misra on November 1, 1927. Government are not aware what is the sanctioned number of stamp vendors, nor how many of them there were at the time of this recommendation, and in the circumstances described they see no reason to inquire.

CASE OF MR. WANCHOO, I.C.S., BULANDSHAHR.

***288. Pandit Nanak Chand :** (a) Is it a fact that Mr. Wanchoo, I.C.S., officer in charge of combined office, called for the list of officials over 55 years of age for retirement or extensions in September, 1927 from the office superintendent?

(b) If so, was this fact reported to the Collector, Khan Bahadur Maulvi Rafi-ud-din Ahmad, by the office superintendent? If so, why?

(c) Is it a fact that the Collector passed an order on or about September 8, 1927 to the effect that the office arrangements should in future be submitted directly to him and not through the officer in charge? If so, will the Government be pleased to lay the order on the table and state as to what was the object of the order?

(d) Is it a fact that Tufail Ahmad, ahlmad of Mr. Zaidi's court, was granted leave by M. Muzaffar Muhammad Khan in charge collectorate? Did the leave application pass through Mr. Wanchoo, officer in charge? If not, why? When was the ahlmad relieved; was any inquiry for misappropriation of money pending against him at the time?

(e) Is it a fact that Mr. Wanchoo tendered his resignation from the charge of the combined office? If so, why, and with what result?

(f) If any of the facts as stated in this question be not admitted as correct, will the Government be pleased to state the facts as ascertained by them?

The Hon'ble Sir Sam O'Donnell: (a) Yes.

(b) No.

(c) Yes. A copy of the order is laid on the table.† Its object may be gathered from the order itself.

(d) Yes.

No. Because it went through the officer in whose court he was working.

Yes.

(e) Mr. Wanchoo was an officer under training who held charge of the office in the course of his training and was relieved of that charge when his training in that branch was completed.

(f) Does not arise.

ATTENDANCE IN THE OFFICE BY CLERKS ON SUNDAY TO BRING UP TO DATE THE WORK OF TUFAIL AHMAD.

*289. **Pandit Nanak Chand:** (a) Is it a fact that all ahlmads, clerks of copying department, partition staff and general clerks were required by the Collector to attend office on last Saturday and Sunday in July, 1927 to bring up to date the work of Tufail Ahmad, sale ahlmad? If so, in what circumstances and by whose orders?

(b) How long was the ahlmad in charge of the work which was sought to be brought up to date? What was the cause of large arrears? Was his work properly supervised? Was any inspection made of his work, and was any inspection note recorded or any report sent against him? If so, will the Government be pleased to lay on the table a copy of the inspection note and report or reports with the Collector's orders thereon?

The Hon'ble Sir Sam O'Donnell: (a) Yes. To bring the work up to date. By order of the Collector.

(b) From January 18, 1927 to August 5, 1927. The work of sales ahlmad and treasury officer's ahlmad was too much for one man. This

ahlmad took over heavy arrears and was not very quick himself, so the arrears increased. An inspection note was made. No.

* 290. **Pandit Nanak Ohand :** (a) Is it a fact that office superintendent, collectorate, Bulandshahr, reported against Ramji Lal, sale ahlmad, for employing private clerks to help him in his official work ? Was the said ahlmad dismissed by Mr. Minson on the said report ?

(b) Is it a fact that Ramji Lal's successor, Tufail Ahmad, also employed three private clerks, one of whom, Nazir Ahmad, was an ex-convict for embezzlement ? If so, was any report made by the office superintendent against Tufail Ahmad ? If not, why ?

(c) If the reply to part (b) be in the negative, has Government ordered an inquiry through the Chief Inspector of Offices for the examination of records supposed to be in the handwriting of Tufail Ahmad ?

(d) Will the Government be pleased to state the grounds of differential treatment in the case of the above two officials ?

The Hon'ble Sir Sam O'Donnell : Government are making further inquiries.

* 291. **Pandit Nanak Ohand :** (a) Have any cases come to the notice of the sale officer and the Collector, Bulandshahr, where the sale ahlmad received sale proclamation and other fees and failed to account for them ? If so, in how many cases ; who was the sale ahlmad responsible, and has he deposited any security for receiving the public money ?

(b) Was any inquiry ordered by Khan Bahadur Maulvi Rafi-ud-din Ahmad, the Collector ? If not, why ?

(c) Was any inquiry made by the sale officer ? If not, why ?

(d) In case an inquiry was ordered or made, did the sale officer submit any report ? If so, will the Government be pleased to lay it on the table and state how it has been disposed of by the Collector ?

The Hon'ble Sir Sam O'Donnell : (a) Yes. Three cases. Tufail Ahmad.

No.

(b) No. No report was made to him.

(c) Yes.

(d) Yes. No. The Collector held that the ahlmad had not acted dishonestly. The ahlmad had already been transferred to another post.

PROSECUTION OF LAHRI SINGH IN A CASE OF EMBEZZLEMENT.

* 292. **Pandit Nanak Ohand :** (a) Is it a fact that a report of embezzlement of Rs. 125 was made by M. Hakim Mirza against Lahri Singh, naib-nazir, tahsil Anupshahr, and his prosecution was ordered under sections 409 and 225-A, I. P. C. ?

(b) Is it a fact that Seth Hukum Ohand, tahsildar, reported a case of embezzlement against Niamat Ullah, naib-nazir, Sikandrabad, for a sum of Rs. 500, whereupon the said naib-nazir was suspended and was required to pay the money ?

(c) Is it a fact that Niamat Ullah was promoted from Rs. 35 to Rs. 40 on the recommendation of Mr. Nisar Haider Zaidi on or about September 22, 1926 while he was still under suspension by Mr. S. Khurashed ?

(d) Will the Government be pleased to state the grounds of differential treatment in the case of the above two officials ?

The Hon'ble Sir Sam O'Donnell : (a) Yes.

(b) Yes.

(c) No.

(d) There was no differential treatment. Lahri Singh was prosecuted because there was evidence to support a charge of criminal breach of trust. Niamat Ullah was not prosecuted because there was not evidence to show that he had committed any criminal offence.

* 293. **Pandit Nanak Chand :** (a) Is it a fact that in *King-Emperor versus Lahri Singh*, naib-nazir, under sections 409 and 225-A, Lahri Singh, accused, was acquitted and the acquittal was not appealed against ?

(b) What action, if any, do Government propose to take against the conduct of Mr. Zaidi and M. Hakim Mirza in this affair ? If not, why ?

The Hon'ble Sir Sam O'Donnell : (a) Yes.

(b) Government do not consider that there is ground for any action.

CASE OF MUNSHI ABBAS ALI AND BABU RAGHUNATH SAHAI.

* 294. **Pandit Nanak Chand :** (a) Is it a fact that M. Abbas Ali, who was promoted from Rs. 30 to Rs. 90 by Mr. S. Khurshed Ahmad, I.C.S., Collector, and was held to deserve special treatment for having stood first in B. A. examination of Muslim University superseding all officials in the intervening grades, was reverted on appeal by the Commissioner ?

(b) Is it a fact that M. Abbas Ali was again promoted by Khan Bahadur Maulvi Rafi-ud-din Ahmad from Rs. 35 to Rs. 60 superseding all officials in the intervening grades ? If so, when and why ? Was the Commissioner's sanction obtained for this promotion ?

(c) Is it a fact that Babu Raghunath Sahai, naib-registrar qanungo, applied for special promotion and recognition on passing his B.Sc. examination of Allahabad University in 1st division with distinction and that his applications were rejected by Khan Bahadur Maulvi Rafi-ud-din Ahmad with the following remarks : " Inform him that he should seek his employment in any college " and " inform him that his case will be considered when he joins ? "

(d) Will the Government be pleased to state the grounds of differential treatment in the cases of the said graduate officials ?

(e) If the reply with regard to any facts alleged in parts (a) to (d) be in the negative, then will the Government be pleased to state the facts as ascertained by them ?

The Hon'ble Sir Sam O'Donnell : (a) and (b) The honourable member is referred to the answers given to parts (a) and (d) of question No. 86 on November 1, 1927. The Commissioner's sanction was not necessary, but he was informed of the appointment.

(c) Yes. The second remark stated was made on the application, but not the first.

(d) and (e) Do not arise. He has not yet joined.

APPOINTMENT OF SHAMS-UL-HASAN AS A PAID APPRENTICE IN
BULANDSHAHR.

* 295. **Pandit Nanak Chand :** (a) Is it a fact that one Shams-ul-Hasan, son of Saiyid Abdul Hasan, late karinda of Chhatari estate, was appointed paid apprentice in Bulandshahr collectorate, with effect from March 1, 1927, by Khan Bahadur Maulvi Rafi-ud-din Ahmad ?

(b) Is it a fact that Shams-ul-Hasan's date of birth is March 1, 1906 ?

(c) Was his exemption from age-limit obtained ? If not, why ?

(d) Did the applicant join his appointment and his application reach the office on March 1, 1927 ? If not, what are the dates of his joining and of the receipt of the order in the office and what accounts for the gap, if any, in each case ?

(e) Is it a fact that he was granted leave before he had joined his appointment and without any written application for leave ? For what special reasons, if any, was the leave granted ?

The Hon'ble Sir Sam O'Donnell : Government are making further inquiries.

ENTRIES IN THE GRADATION LIST OF THE BULANDSHAHR COLLECTORATE.

* 296. **Pandit Nanak Chand :** (a) Is it a fact that special entries against certain officials for future guidance in connexion with the special promotions under orders of Messrs. C. M. Collett and W. E. J. Dobbs in the old gradation list of the Bulandshahr collectorate have been left out in preparing the new gradation lists, e.g., in the cases of Mohan Lal, Kesho Dutt and Tufail Ahmad, by the omission of entries ordered to be made by Mr. Dobbs ? If not, what are the facts ascertained by the Government ?

(b) Have the old gradation lists been preserved or have they been weeded out ? If the latter be the case, why have they been weeded out, and under whose order and what rule ?

(c) Do Government intend to order an inquiry into the correctness or otherwise of the present gradation list through the Chief Inspector of Offices and call for his report ?

The Hon'ble Sir Sam O'Donnell : (a) Yes ; the gradation list was not the right place for them.

(b) They have been preserved.

(c) No. The gradation list is not an official document and neither confers nor takes away any official's rights.

RAIN WATER IN NAGLA KATAK.

* 297. **Pandit Nanak Chand :** (a) Is it a fact that Nagla Katak in the Bulandshahr district receives rain water of about thirteen villages of Meerut district and four villages of Bulandshahr district ?

(b) Is it a fact that on account of heavy rains from August 9 to 17, 1927, the *abadi* site and about three-fourths of the culturable area has been submerged for want of outlet from the lake, between the same village and Nagla Ugersen ?

(c) Is it a fact that telegraphic information of this fact was sent to the Collector on August 15? If so, when and what action, if any, was taken by him?

(d) Is it a fact that a deputation of seven persons waited on the Collector on August 21, 1927, and submitted a written application? Did the Collector promise to send an engineer? If so, when was one, if any, sent?

(e) Is it a fact that an application was submitted to the Collector on September 13, 1927, and another to the chairman, district board? If so, when and what action was taken by the recipients of these applications?

(f) Is it a fact that Chaudhri Ganga Bal Singh, honorary magistrate, district Meerut, waited on Commissioner at Mussoorie to represent hardships which the residents of the village were undergoing? If so, when and what action was taken by the Commissioner?

The Hon'ble Sir Sam O'Donnell: (a) Nagla Katak, which is a hamlet of Kuchesar village, lies in a depression and is subject to inundation when the rains are exceptionally heavy. Without a survey it cannot be stated what other villages discharge their surplus water into this hamlet.

(b) The low lying portions of the *abadi* and the culturable area near the lake were submerged.

(c) Yes. The tahsildar was sent to the spot, but nothing could be done at the time without expert advice.

(d) Yes. The district board engineer was asked to make proposals for draining off the water.

(e) Yes. The Collector himself inspected the locality twice, and referred the matter to the canal engineer. He also reported the facts to the Commissioner.

(f) Yes. The Commissioner inquired into the complaint demi-officially. An investigation is being made.

***298. Pandit Nanak Chand:** (a) What is the total area of Nagla Katak and how much of that area has been affected by the accumulation of the rain water?

(b) When and what relief measures, if any, do Government intend to adopt?

(c) Do Government intend to get the situation examined by some engineer?

The Hon'ble Sir Sam O'Donnell: (a) Nagla Katak is part of Kuchesar village, and as its area is not separately recorded in the village papers it cannot be given.

(b) No immediate relief is required as the inundation has already subsided and only occurs once every four or five years.

(c) A canal engineer is making an investigation, and on receipt of his report necessary measures will be considered.

CASE OF MUNSHI MUZAFFAR MUHAMMAD KHAN.

***299. Pandit Nanak Chand:** (a) Why was M. Muzaffar Muhammad Khan relieved of duties of sub-divisional officer about three weeks before proceeding on leave?

(b) Was M. Muzaffar Muhammad Khan entrusted with any other work after giving over charge of his sub-division? If so, what was the work done by him during the last three weeks?

The Hon'ble Sir Sam O'Donnell: (a) and (b) Government have no information.

DISTRIBUTION OF WORK AMONG THE GAZETTED STAFF IN
BULANDSHAHR COLLECTORATE.

*300. **Pandit Nanak Chand:** (a) Will the Government be pleased to lay a statement on the table showing distribution of work among the gazetted staff in Bulandshahr collectorate from April 1, 1927 to August 31, 1927?

(b) What accounts for the frequent changes of important miscellaneous charges and for the accumulation of the same in the hands of M. Nisar Haider Zaidi who was in charge of the biggest sub-division?

The Hon'ble Sir Sam O'Donnell: (a) The answer is in the negative.

(b) Distribution of work is a matter in the discretion of the Collector and for which he alone is responsible. The Government have made inquiries and are satisfied in this case that the distribution was a proper one.

HINDU MUKHIAS, *panches* AND *sarpanches* REPLACED BY MUSLIMS
BY MR. ZAIDI IN BULANDSHAHR DISTRICT.

*301. **Pandit Nanak Chand:** Will the Government be pleased to lay a statement on the table showing the instances where Hindu mukhias, *panches* and *sarpanches* were replaced by Muslims by Mr. Zaidi in various sub-divisions in his charge in Bulandshahr district?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: One Hindu mukhia only was replaced by a Muslim in the Khurja sub-division in September, 1926. No Hindu *panches* or *sarpanches* were replaced by Muslims.

TRANSFERS, SUSPENSIONS AND DISMISSALS OF HINDU PATWARIS.

*302. **Pandit Nanak Chand:** (a) Will the Government be pleased to lay a statement on the table showing the transfers, suspensions and dismissals of Hindu patwaris by Munshi Niaz Muhammad, M. Nisar Haider Zaidi, M. Muzaffar Muhammad Khan and M. Abdul Wahid Khan Khalil respectively from the various patwari circles?

(b) Will the Government be pleased to lay on the table a statement of Muslim patwaris appointed by the order of the court during the period presided over by the said officers respectively, and in what cases, if any, the Hindu nominees of the zamindars were rejected?

The Hon'ble Sir Sam O'Donnell: Government are making further inquiries.

DURATION WITHIN WHICH AN OFFICER SHOULD MAKE OVER CHARGE
OF THE DUTIES AFTER THE NOTIFICATION OF HIS TRANSFER.

*303. **Pandit Nanak Chand:** (a) Will the Government be pleased to state the number of days within which an officer should make over charge of the duties after the notification of his transfer in the absence of any specific event mentioned in the notification?

(b) When was the transfer of Mr. Zaidi from Bulandshahr to Muzaffarnagar notified and when did he hand over charge? What accounts for the delay, if any?

(c) Is it a fact that the date and time of handing over charge by Mr. Zaidi enabled the said officer to combine the holidays succeeding his joining time for the purpose of his stay at Bulandshahr?

(d) Did Mr. Zaidi obtain any kind of leave after the notification of his transfer and before making over charge? If so, how often and for how many days? Did he also obtain permission to leave the station? If so, for what dates?

The Hon'ble Sir Sam O'Donnell: (a) Usually within seven days from the date of receipt of orders.

(b) (1) August 13, 1927.

(2) September 1, 1927.

(3) Disposal of part-heard cases.

(c) No.

(d) (1) Yes. He took two days' casual leave.

(2) So far as the Collector's recollection goes, he did not obtain permission to leave the station.

COMPLAINT ABOUT CERTAIN ORDERS PASSED BY KHAN BAHADUR MAULVI RAFI-UD-DIN AHMAD.

*304. **Pandit Nanak Chand:** (a) Is it a fact that Khan Bahadur Maulvi Rafi-ud-din Ahmad, Collector, Bulandshahr, ordered the office superintendent on June 3, 1927, to put up for entry the character roll of every official who preferred appeal to the Commissioner against his orders regarding office arrangements when their appeals were rejected? If so, will the Government be pleased to lay a copy of the said order on the table?

(b) Is it a fact that an application for a copy of the said order was made on August 3, 1927, whereon the Collector passed the following order on August 5, 1927:—

“ No copy of the order can be given under rule 1351 of the Revenue Manual; the application is therefore rejected ”?

(c) What was the object of the order, dated June 3, 1927?

(d) In what cases entries have been made in the character rolls in compliance with this order? In how many such cases such entries were made on the result of appeals preferred before the order was passed? Do Government intend to order the expunction of such entries? If not, why?

(e) Do Government intend to extend the limitation of appeals of aggrieved officials who were prevented by the said order from filing their appeals within the 60 days of various orders? If not, why?

The Hon'ble Sir Sam O'Donnell: (a) Yes.

No. The order was passed as a routine order of internal office management. The Government do not propose to give copies of such orders.

(b) Yes.

(c) To check frivolous appeals and intrigue.

(d) In the cases of officials whose appeals were rejected. Thirteen cases. This depends on the orders of the appellate court on each appeal. If the appeals were held to be frivolous, the orders will not be expunged.

(e) No. Officials were not prevented by the order from filing appeals.

CASE OF INDERMAN, AHLMAH, BULANDSHAHR.

*305. **Pandit Nanak Chand :** (a) Is it a fact that Inderman, ahlmah, collectorate, Bulandshahr, submitted his appeal to be forwarded to the Commissioner against his supersession? Was he required by Khan Bahadur Maulvi Rafi-ud-din Ahmad, Collector, to submit his explanation and his appeal was not forwarded to the Commissioner? If so, when was the appeal submitted? Why was it not forwarded and how was it disposed of?

(b) Is it a fact that an explanation of M. Rahtu Mal, reader, was called on his submitting his appeal? If so, why? Was an entry made in his character roll?

The Hon'ble Sir Sam O'Donnell : (a) Yes. He mentioned in his appeal certain official information which he could only get through clerks of the office in an underhand way. He was asked to explain how he got it and then he withdrew his appeal.

(b) Yes. In the same way as in the case of Indarman. Yes.

**APPEAL AGAINST ORDERS OF PROMOTIONS OR APPOINTMENTS
OF OFFICIALS MADE BY SELECTION.**

*306. **Pandit Nanak Chand :** (a) Will the Government be pleased to state whether there is any rule or Government order to the effect that no appeal lies against orders regarding promotions or appointments of officials made by selection?

(b) If the reply to part (a) be in the negative, then why this practice has been introduced in Bulandshahr?

The Hon'ble Sir Sam O'Donnell : (a) The honourable member is referred to paragraph 1055 of the Revenue Manual.

(b) Does not arise.

*307. **Pandit Nanak Chand :** (a) What are the names of the officials who were appointed or promoted by selection by Mr. Khurshed and Khan Bahadur Maulvi Rafi-ud-din Ahmad Sahib, Collectors, and what were the grounds of their respective selections and rejection of the claims of the entitled and superseded officials?

(b) How many of such appointments or promotions were appealed against?

(c) How many such appeals were forwarded with the remarks to the effect that the appointments and promotions having been made by selection no appeal lies against the order? Were all such appeals rejected?

(d) What steps do Government intend to take to safeguard the interests of the aggrieved and entitled officials ?

The Hon'ble Sir Sam O'Donnell: (a) All first appointments are made by selection. Particulars of them cannot be given. The only promotion by selection was that of Abbas Ali. The particulars about his promotion are given in the answer to question No. 86 of November 1, 1927.

(b) Two in the case of appointments, and Abbas Ali's promotion was appealed against.

(c) One. The appeal was rejected.

(d) No steps are necessary.

MALPRACTICES IN THE PREPARATION OF THE ELECTORAL ROLL IN ROHILKHAND TOWNS.

*308. **Lala Nemi Saran:** (a) With reference to resolution No. 1154/XI—192 of 1926, Municipal department, dated Allahabad, May 26, 1927, regarding observations on the divisional reviews on the working of municipal boards for the year 1925-26, will the Government be pleased to state the names of those smaller towns of Rohilkhand where serious malpractices in preparing the electoral roll were detected ?

(b) Will the Government be pleased to state what action it took against such boards and members ?

The Hon'ble Nawab Muhammad Yusuf: (a) Najibabad, Ujhani, Dhampur, Tilhar and Chandpur.

(b) None.

*309. **Lala Nemi Saran:** With reference to the following observation : " It is dangerous to entrust this work (regarding preparation of electoral rolls) to those who may profit by the manipulation of the roll " appearing in the resolution referred to in question No. 1, will the Government be pleased to state the steps it proposes to take in order to ensure the preparation of correct electoral rolls. Does the Government see the advisability of getting the electoral rolls of such municipalities as have profited by the manipulation of the electoral rolls in the smaller towns of Rohilkhand prepared through the District Magistrate of such municipalities ?

The Hon'ble Nawab Muhammad Yusuf: A proposal to alter the agency for the preparation of electoral rolls and to amend the election rules necessitated thereby is under the consideration of Government.

MUSLIM AND NON-MUSLIM POPULATION IN THE NAJIBABAD MUNICIPALITY.

*310. **Lala Nemi Saran:** Will the Government be pleased to supply the following information :—

(a) In the Najibabad municipality during the last census report—

(i) the total population of Muhammadans,

(ii) total population of non-Muslims.

(b) In the Najibabad municipality during the last municipal election—

(i) total number of Muslim voters on the electoral roll,

(ii) total number of non-Muslim voters on the electoral roll,

(iii) total number of Muslim and non-Muslim voters ?

The Hon'ble Nawab Muhammad Yusuf: (a) (i) 10,538.

(ii) 7,966.

(b) (i) 393.

(ii) 537.

(iii) 930.

MEMORIAL RECEIVED FROM THE RATE-PAYERS OF NAJIBABAD MUNICIPALITY.

*311. **Lala Nemi Saran:** Will the Government be pleased to state if it received a memorial in the month of November, 1925 from the rate-payers of Najibabad municipality against the dominating party in the Najibabad municipality? If so, will the Government be pleased to lay a copy of the same on the table?

The Hon'ble Nawab Muhammad Yusuf: (a) Yes.

(b) A copy of the memorial is laid on the table.

(See Appendix X, page 171.)

*312. **Lala Nemi Saran:** Will the Government be pleased to state whether it caused an inquiry to be made into the allegations made against the said dominating party? If so, what has been the result of such inquiry and what action did the Government take?

The Hon'ble Nawab Muhammad Yusuf: (a) Yes.

(b) No action was taken against the individual members concerned, but the assessment rules were amended so as to prevent a repetition of the irregularities committed by them.

*313. **Lala Nemi Saran:** Will the Government be pleased to supply the following information with regard to Najibabad municipality:—

The total amount of tax realized on account of tax on circumstances and property from Muslims and non-Muslims respectively since 1919 to 1927?

The Hon'ble Nawab Muhammad Yusuf: Government do not think that any useful purpose will be served by obtaining this information.

*314. **Lala Nemi Saran:** Will the Government be pleased to state if it is a fact that the proposals of Najibabad municipality for introducing octroi in its municipality were rejected in 1925, but when they were submitted in the early part of 1927 they were accepted by the Government? What were the reasons for both these decisions of Government?

The Hon'ble Nawab Muhammad Yusuf: The proposals were received for the first time in 1924 when Government informed the board that they were prepared to permit the introduction of octroi, but returned the proposals for revision as they considered that the rates required alterations in certain respects. The board submitted revised proposals in 1927 when they were sanctioned, as it was ascertained that there was a genuine desire on the part of the public for reversion to octroi.

*315. **Lala Nemi Saran:** Will the Government be pleased to state in what way the proceedings of the municipal board, Najibabad, are published? Are they published in a local paper? If so, in which paper?

The Hon'ble Nawab Muhammad Yusuf: The proceedings of the board are published in a local paper called "Hadi."

*316. **Lala Nemi Saran** : Will the Government be pleased to state whether the proposals of octroi were published in the paper in which the board's proceedings are published? If not, why? Was no notice nor any draft rule published in any paper as required by section 131(3) of the Act? If so, why?

The Hon'ble Nawab Muhammad Yusuf : The proposals and draft rules were published in accordance with the rule framed by Government at page 331 of the Municipal Manual, Volume I, with reference to section 94 (3) of the Municipalities Act, as no local paper existed in the municipality at that time.

*317. **Lala Nemi Saran** : Will the Government be pleased to state if it is a fact that the houses in the municipality of Najibabad are not numbered as required by G. O. No. 561, dated September 29, 1880, and published on page 333 of the Municipal Manual? Will the Government be pleased to state what steps it proposes to take in order to get the houses numbered in the Najibabad municipality?

The Hon'ble Nawab Muhammad Yusuf : The houses in the municipality are numbered every tenth year before the commencement of the census.

*318. **Lala Nemi Saran** : Will the Government be pleased to state if it is a fact that there is no list of houses and buildings of which the valuation is not less than the prescribed minimum as is required by Municipal Election rule 4(v) of 1925? If so, why? Has Government asked the chairman, municipal board, to maintain such a list?

The Hon'ble Nawab Muhammad Yusuf : (a) Yes.

(b) Because the revising authorities used themselves to inspect each house and assess its rental value.

(c) Government have asked the board to comply with the rules.

COMMUNAL CONSIDERATIONS IN SELECTING CANDIDATES FOR GOVERNMENT SERVICE.

*319. **Lala Nemi Saran** : (a) Is the Government guided by any communal consideration in selecting candidates for Government service in these provinces? If so, to what extent?

(b) How does the Government calculate proportions between the two major communities of this province when advertising for applications for service in various departments?

(c) Will the Government be pleased to say—

(i) how many posts for selection were gazetted for the year ending this September by each department;

(ii) in how many of these the proportion of Hindu and Muslim candidates to be selected was given out, and in which? What was that proportion;

(iii) how was the proportion referred to in (i) arrived at;

(iv) how many posts were filled by direct appointment by the Government in each department, and at what proportion were the candidates of the communities selected?

The Hon'ble Sir Sam O'Donnell: (a) and (b) The honourable member is referred to the answer given to starred questions Nos. 16, 17 and 18 of November 3, 1927.

(c) A statement is laid on the honourable member's table.

(See Appendix Y, page 174.)

***320. Lala Nemi Saran:** [*Postponed at the request of Government till the meeting of the Council on December 21, 1927.*]

USE OF COMMON WELLS BY DEPRESSED CLASSES.

***321. Lala Nemi Saran:** (a) Is the Government aware that in these provinces the so-called depressed classes in many places are not allowed to use the common wells in the ordinary way?

(b) Does the Government intend to declare that all public wells (except those which are appurtenant to any place of religious worship or are constructed by any individual for his personal use) are open as a matter of right for the use of everybody irrespective of his caste, colour or creed?

The Hon'ble Nawab Muhammad Yusuf: (a) Yes.

(b) The Government do not consider that any practical purpose would be served by the declaration. The use of wells is regulated by long-established custom which can best be changed by the development of public opinion.

FIXING OF MOTOR LORRIES BY SUPERINTENDENT OF POLICE
OF MEERUT.

***322. Lala Nemi Saran:** (a) Is it a fact that the Superintendent of Police of Meerut has fixed a number of motor lorries (for hire) to be run on each road in the district and more than that number is not allowed to ply for hire on one road?

(b) Under what rule has he fixed such a number?

(c) What rule entitles him to refuse licences to new lorries on the plea that the road is already overcrowded?

(d) What action does the Government intend to take in the matter?

(e) On what principle does he allot the number of passengers to be carried by one lorry? Is it on the basis of the horse power of the engine or on some other consideration?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:

(a) Yes.

(b) and (c) In his executive capacity to regulate motor traffic.

(d) Government are considering the advisability of framing a new rule.

(e) The number of passengers to be carried in each lorry is fixed on the principle that each passenger requires 16" x 28" seating accommodation.

CONSTRUCTION OF A TOWN SCHOOL AT BACHRAON BY
MORADABAD DISTRICT BOARD.

*323. **Khan Bahadur Mr. Masud-ul-Hasan**: Will the Government be pleased to furnish the following information:—

- (1) Whether the Moradabad district board had decided to construct a building for a town school at Bachraon?
- (2) What was the amount of the Government grant for the purpose, and when it was made?
- (3) Whether a plot of land was acquired and contract for the construction of the building granted? If so, when?
- (4) Whether the construction of the building has not been taken in hand up till now? If not, why?
- (5) Whether the Government grant is still unspent?
- (6) When the building is likely to be constructed?

The Hon'ble Rai Rajeshwar Bali: Inquiries have been made. A reply will be given at a later date.

MR. S. P. SHAH.

*324. **Saiyid Habib-ullah**: Is it a fact that Mr. S. P. Shah was the district officer of the Jalaun district in the years 1925 and 1926?

The Hon'ble Sir Sam O'Donnell: Yes.

COMMUNAL DISTURBANCES IN THE JALAUN DISTRICT.

*325. **Saiyid Habib-ullah**: Is it a fact that there was no communal disturbance of any kind in those years in that district?

The Hon'ble Sir Sam O'Donnell: Yes.

*326. **Saiyid Habib-ullah**: Is it a fact that in those two years there was no complaint of any kind by one community against the other?

The Hon'ble Sir Sam O'Donnell: No complaint was received by Government.

*327. **Saiyid Habib-ullah**: If the answer is in the affirmative, then was it due to the policy of strict impartiality adopted by Mr. S. P. Shah or to any other cause?

The Hon'ble Sir Sam O'Donnell: Government have no reason to think that either Mr. S. P. Shah or any other officer at Jalaun adopted a policy other than that of strict impartiality.

*328. **Saiyid Habib-ullah**: (a) Is it a fact that there was a great fear of communal disturbance during the last *Muharram* at the headquarters of the Jalaun district?

(b) If so, was it due to the tension between Muslims and Hindus?

(c) What steps, if any, were taken by the district officer to reconcile the two communities?

The Hon'ble Sir Sam O'Donnell: (a) No.

(b) and (c) Do not arise.

CONVERSION OF A SHOP INTO A TEMPLE IN THE ORAI BAZAR.

*329. **Saiyid Habib-ullah**: (a) Has a shop in the Orai bazar been converted into a temple?

(b) If so, by whose order?

The Hon'ble Sir Sam O'Donnell: (a) Yes.

(b) No order was required for this purpose.

*330. **Saiyid Habib-ullah**: Did the owner of this shop deliberately disobey a certain order of the District Magistrate, and was a notice issued to him to show cause why he should not be prosecuted under section 188, I. P. C. ?

The Hon'ble Sir Sam O'Donnell : (a) No.

(b) Yes.

*331. **Saiyid Habib-ullah** : What happened to that notice and why was the man not prosecuted ?

The Hon'ble Sir Sam O'Donnell : The proceedings were dropped because it was found that the order had not been deliberately disobeyed.

*332. **Saiyid Habib-ullah** : Did some of the Musalmans in July last lay some of their grievances before the district authorities in connexion with the opening of the new temple in the bazar, and was an inquiry made by a European police inspector by the order of the District Magistrate ?

The Hon'ble Sir Sam O'Donnell : (a) Yes.

(b) No.

*333. **Saiyid Habib-ullah** : What was the result of that inquiry, and what action, if any, was taken by the District Magistrate on the receipt of the inspector's report ?

*334. Is it a fact that the applicants were not informed of the result of the inquiry and no opportunity was afforded to them to take further action in the matter ?

The Hon'ble Sir Sam O'Donnell : Do not arise.

COMMUNAL DISTURBANCE IN THE TOWN OF KONCH IN THE JALAUN DISTRICT.

*335. **Saiyid Habib-ullah** : Was there a communal disturbance on September 10 last in the town of Konch in the Jalaun district on the occasion of the *milad sharif* in the presence of the tahsildar and thanadar ? If so, what steps have been taken to punish the originators of the disturbance ?

The Hon'ble Sir Sam O'Donnell : Yes. Thirty-six Muslims were sent up for trial.

*336. **Saiyid Habib-ullah** : (a) Did some of the leading citizens of Konch try to bring about a reconciliation between the Hindus and Musalmans after the disturbance ?

(b) If so, did the district officer afford any facility in this matter ?

The Hon'ble Sir Sam O'Donnell : If the honourable member means that a suggestion was made to the District Magistrate to withdraw proceedings under section 107, Cr. P. C., against certain Hindus and Muslims, the answer is :—

(a) Yes.

(b) The suggestion was not accepted.

HONORARY ASSISTANT COLLECTORS AND HONORARY SPECIAL AND BENCH MAGISTRATES IN THE BUNDELKHAND DIVISION.

*337. **Saiyid Habib-ullah** : Will the Government be pleased to lay a statement on the table showing the names of honorary assistant collectors

and honorary special and bench magistrates in the Bundelkhand division with the amount of (1) income-tax and (2) the revenue paid by each of them of the zamindari standing in their own names with their castes and educational qualifications?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : There are no honorary assistant collectors in the Jhansi division. A statement containing the information asked for in regard to honorary magistrates is laid on the table.

(See Appendix Z, page 175.)

REFUSAL TO ENLIST SOME MUSALMANS IN THE POLICE FORCE BY
SUPERINTENDENT OF POLICE, JALAUN.

*338. **Saiyid Habib-ullah :** (a) Is it a fact that the Superintendent of Police of the Jalaun district has refused to enlist in the police force three or four Musalmans of the Orai town who were in every way qualified for enlistment?

(b) If so, will the Government be pleased to state the reason?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Certain Muslims of Orai town presented themselves for enlistment, but were rejected as the Superintendent of Police considered them unsuitable as recruits.

BRIDGE OF BOATS OVER THE JUMNA AT HAMIRPUR.

*339. **Saiyid Habib-ullah :** Is the Government aware that the approach roads on either side of the Jumna boat bridge at Hamirpur are so sandy that they cause considerable inconvenience and are practically impassable for wheeled traffic owing to the removal of the wooden boards laid on the sandy portion of the approach roads?

The Hon'ble Sir Sam O'Donnell : Yes.

*340. **Saiyid Habib-ullah :** If so, will the Government be pleased to consider the advisability of directing the Public Works Department and the district board concerned to restore the planks immediately and to remove the grievance of the travelling public?

The Hon'ble Sir Sam O'Donnell : Government hope that funds for the purpose will be provided next year.

CONSTITUTION OF COMMITTEE TO INVESTIGATE INTO THE QUESTION
OF MUSLIM WAQFS.

*341. **Khan Bahadur Hafiz Hidayat Husain :** Have this Government constituted any committee to investigate into the question of Muslim *waqfs* in pursuance of the resolution of the Council passed in the last monsoon session of the Council? What is the personnel of the committee?

The Hon'ble Rai Rajeshwar Bali : The honourable member is referred to the answer to starred question No. 112 for November 2, 1927.

ASSISTANT AND CIVIL SURGEONS.

*342. **Pandit Bhagwat Narayan Bhargava :** At what stage of the service of an assistant surgeon is he entitled under the rules or practice to be given the post of a civil surgeon.

The Hon'ble Rai Rajeshwar Bali : The honourable member is referred to rule 235 of the United Provinces Medical Manual.

*343. **Pandit Bhagwat Narayan Bhargava :** How many assistant surgeons and civil surgeons are to retire this year, and how many have received extensions and have applied for it?

The Hon'ble Rai Rajeshwar Bali : (a) Five.

(b) None.

GRANTS GIVEN TO SCHOOLS IN THE PROVINCE.

*344. **Khan Bahadur Shaikh Zia-ul-Haq :** Will the Government be pleased to lay on the table a statement showing—

- (1) the amount of grant given to the Hindu, Muhammadan and Christian schools in the province ;
- (2) the non-recurring grant given this year to Hindu, Muhammadan and Christian schools respectively ;
- (3) any grant given to the Islamia High School, Saharanpur, for building ? If no such grant has been given, will the Government be pleased to give the reasons ?

The Hon'ble Rai Rajeshwar Bali : The information is being collected.

JUDGEMENT OF JHANSI MAGISTRATE IN A CASE OF GAMBLING IN THE CITY.

*345. **Pandit Bhagwat Narayan Bhargava :** (a) With reference to answer to starred question No. 96 of June, 1927, will the Hon'ble the Home Member himself peruse the judgement of the Jhan-i Magistrate concerned passed on February 7, 1927, King-Emperor *versus* Dabla and others, sections 3/1, Gambling Act, and state if it was his clear finding that the gambling was going on in the heart of the city with the connivance of the police ?

(b) Is it a fact that the said magistrate in his judgement drew the attention of the superintendent of police to this regrettable state of affairs ?

(c) If the answers to (a) and (b) be in the affirmative, will the Hon'ble the Home Member state who was responsible for supplying the Government with a wrong reply to question No. 96 mentioned above, given in Council on June 22, 1927 ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The passage in the magistrate's judgement to which the honourable member refers runs as follows :—

"There is a portion of Chhote Khan's statement to which the attention of the superintendent of police may be drawn. It is regrettable that there should have been police connivance at gaming in the heart of the city as Chhote Khan has stated."

The magistrate concerned himself furnished Government with the reply and stated that he had not come to such a finding as was suggested by the honourable member, but that he had drawn attention to the fact that a witness had stated that there was police connivance. The reply to question No. 96 of June 22, 1927, was in any case correct as the judgement does not contain the remark quoted by the honourable member in that question.

*346. **Pandit Bhagwat Narayan Bhargava**: Was any objection taken by the Government to the said remarks of the magistrate in the court of Sessions Judge during appeal?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

*347. **Pandit Bhagwat Narayan Bhargava** : What action does the Government propose to take against the police officers whose connivance to the gambling was found by the Magistrate of Jhansi?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The honourable member is referred to the answer given on June 22, 1927, to starred question No. 100.

RAILWAY EUROPEAN SCHOOL, JHANSI.

*348. **Pandit Bhagwat Narayan Bhargava** : (a) What is the total number of students in the Railway European School, Jhansi?

(b) Will the Government state the number of Indian and European students, stating how many of each community belong to non-railway employees?

*349. Is it a fact that the honorary secretary of the said school board by his letter No. B-4, dated September 18/29, 1926, and the Agent, Great Indian Peninsula Railway, by his letter No. 20443-R/380, dated July 13, 1927, refused to admit a son of Babu Bhagwati Prasad Srivastava, B.A., LL.B., vakil of Jhansi, in the said school? If so, for what reasons?

*350. Is it a fact that the honorary secretary of the school board refused to send a copy of rules for admission to the said Mr. Srivastava? If so, why? Will the Government lay a copy of rules of the school on the table?

*351. Is it a fact that the Director of Public Instruction and the Inspector of European Schools were also addressed by Mr. Srivastava on the subject?

*352. Is it a fact that the Director of Public Instruction simply directed him by his letter No. G-967/XVII-12, dated July 8, 1927, to address the Inspector of European Schools, and the latter in his turn referred him to the honorary secretary of the school, and the last one referred him to the Agent?

The Hon'ble Rai Rajeshwar Bali : Inquiries have been made. Replies will be given at a later date.

EXCLUSION OF MUSALMANS FROM BEING TEACHERS OR SUPERVISORS OF THE DEPRESSED CLASSES OF THE RAE BARELI DISTRICT.

*353. **Mr. Muhammad Habib** : Is it a fact that the district board of Rae Bareli has passed a resolution excluding Musalmans from being teachers or supervisors of the depressed classes of the Rae Bareli district? If so, will the Government be pleased to state the reasons that have led the district board of Rae Bareli to such a decision?

The Hon'ble Rai Rajeshwar Bali : Inquiries are being made. A reply will be given at a later date.

RESOLUTION PASSED BY DISTRICT BOARD OF RAE BARELI MAKING
PRARTHNA (PRAYER) COMPULSORY IN ALL DISTRICT
BOARD SCHOOLS.

***354. Mr. Muhammad Habib :** Is the Government aware that the district board of Rae Bareli has passed a resolution making *prarthna* (prayer) compulsory in all district board schools? Is the Government order of 1921 prohibiting religious instruction in aided schools still in force?

The Hon'ble Rai Rajeshwar Bali : Inquiries are being made. A reply will be given at a later date.

PROPORTION OF HINDU AND MUSLIM TEACHERS IN RAE BARELI
DISTRICT BOARD.

***355 Mr. Muhammad Habib :** Is the Government aware that the proportion of Muslim and Hindu teachers employed by the Rae Bareli district board is eleven to hundred? If not, will the Government be pleased to state the correct proportion?

The Hon'ble Rai Rajeshwar Bali : No. 13.5 per cent. of Muslims.

***356. Mr. Muhammd Habib :** Is it a fact that out of seventeen head masters in charge of vernacular middle schools in Rae Bareli only one is a Musalman? Is the Government aware that the district board Muhammadan Educational Committee made repeated demands for more Muslims? Has district board appointed a Musalman to any of the vacancies that have occurred?

The Hon'ble Rai Rajeshwar Bali : Yes. Yes. No. It is reported that there was no Muslim assistant teacher eligible for promotion as head master.

APPEAL BY THE RAE BARELI DISTRICT BOARD MUHAMMADAN
EDUCATIONAL COMMITTEE FOR GRANT TO MAK TABS.

***357. Mr Muhammad Habib :** Is the Government aware that there are more than ten maktabas in Rae Bareli that find it impossible to continue their work for want of funds, and that the repeated appeals of the Rae Bareli district board Muhammadan Educational committee for a sufficient allotment have not been granted by either the district board or the Government?

The Hon'ble Rai Rajeshwar Bali : Government are informed that ten maktabas are receiving no grants-in-aid. The board is spending the prescribed minimum on Islamia schools and maktabas.

APPOINTMENT OF SUPERVISORS IN BAREILLY, BASTI AND HARDOI
DISTRICT MAK TABS.

***358. Khan Bahadur Hafiz Hadayat Husain :** Did Government appoint supervisors for inspection of maktabas in Bareilly, Basti and HarDOI districts in 1923? From what date did their appointment take effect?

***359. Have Government seen the following passage regarding the supervisors in the report of the Director of Public Instruction for the year ending March 31, 1924 :—**

"The scheme is still in an experimental stage and it is too early to say whether it will succeed."

And the following in the report ending March 31, 1925 :—

“ The scheme is still in an experimental stage and a pronouncement on its success or failure would be premature at present.”

And the following in the report ending March 31, 1926 :—

“ The result of the scheme of supervisors has not yet been such as to warrant an extension of the scheme to other districts ”?

How many maktabas are there in each of these districts, and will the Government be pleased to indicate the directions in which the scheme was sought to be experimented, what has so far been achieved by the supervisors and how long is the stage of experiment expected to continue ?

The Hon'ble Rai Rajeshwar Bali : A reply will be given at a later date.

MONEY SPENT OVER DIFFERENT CLASSES OF EDUCATION BY DISTRICT AND MUNICIPAL BOARDS.

***360. Khan Bahadur Hafiz Hidayat Husain :** Will the Government be pleased to lay a statement on the table showing the money spent by the district boards over Muslim primary education besides the minimum expenditure prescribed by the Government in the years 1925-26 and 1926-27 and printed as Appendix C in volume XXXIII of the Legislative Council Proceedings, page 606 ? What board or boards spent the money ? For what purpose and what was the amount spent by each board ?

The Hon'ble Rai Rajeshwar Bali : The information is being collected and a reply will be given at a later date.

***361. Khan Bahadur Hafiz Hidayat Husain :** Will the Government be pleased to lay a statement on the table showing the money spent by each district and municipal board of the province in the year ending March 31, 1927, over depressed classes education besides the minimum prescribed by the Government and the grant of Rs. 5,000 given to non-official bodies as mentioned in the report on public instruction for the year ending March 31, 1926, at page 40 ?

The Hon'ble Rai Rajeshwar Bali : Information is being collected and a reply will be given at a later date.

***362. Khan Bahadur Hafiz Hidayat Husain :** (a) Will the Government be pleased to lay a statement on the table showing the amount spent by each municipal and district board in the year ending March 31, 1927, over (1) Hindu pathshalas and (2) Mahajani schools ?

(b) Is any allotment made by the Government for these schools, and, if so, how much ?

The Hon'ble Rai Rajeshwar Bali : Information is being collected and a reply will be given at a later date.

ENROLMENT IN DIFFERENT CLASSES OF SCHOOLS.

***363. Khan Bahadur Hafiz Hidayat Husain :** (i) What was the total enrolment in—

- (1) primary mixed schools,
- (2) Islamic schools,
- (3) Hindu pathshalas,

- (4) Mahajani schools,
 - (5) Maktabas,
 - (6) depressed class schools
- on July 1, 1927 ?

(ii) What was the expenditure in each kind of school incurred either by the Government or the boards or both in the year ending March 31, 1927 ?

(iii) How many Hindus and how many Muslims were being educated in each kind of school on the above date (July 1, 1927) ?

The Hon'ble Rai Rajeshwar Bali : Figures of enrolment on July 1, 1927, are not available. Government do not consider that the value of the information asked justifies the expenditure of money and labour involved in collecting it. A statement of the information available is placed on the honourable member's table.

(See Appendix AA, page 180.)

SCHEME FOR THE CLASSIFICATION AND MAINTENANCE OF ROADS.

*364. **Lala Nemi Saran :** (a) Has the Government received replies from the various district boards regarding the tentative scheme for the classification and maintenance of roads ?

(b) Will the Government be pleased to lay on the table the replies so received ?

(c) What do the Government now intend to do with that scheme ?

The Hon'ble Nawab Muhammad Yusuf : (a) Yes.

(b) The replies are† laid on the table.

(c) The matter is under consideration.

INSPECTION OF THE OFFICE OF THE DISTRICT BOARD OF BAHRAICH BY THE CHAIRMAN.

*365. **Khwaja Khalil Ahmad Shah :** Will the Government be pleased to state the number of days the office of the district board, Bahraich, was inspected by the chairman ? Who is the chairman ? Is he an elected member or a Government nominee ?

The Hon'ble Nawab Muhammad Yusuf : A reply will be given at a later date.

RAILWAY CONSTRUCTION BETWEEN CHANDPUR AND BIJNOR.

*366. **Lala Nemi Saran :** (a) When is it likely that the railway construction between Chandpur and Bijnor will be commenced ?

(b) Is that line sanctioned ?

The Hon'ble Sir Sam O'Donnell : (a) Construction of the line will be commenced as soon as the railway authorities are placed in possession of the requisite land, proceedings for the acquisition of which are in progress.

(b) Yes.

*367 and *368. **Babu Uma Shankar :** [*Postponed at the request of Government till the meeting of the Council on December 21, 1927.*]

MURDER OF ARYA SAMAJISTS AND HINDU SABHA WORKERS.

*369. **Babu Uma Shankar :** (a) Will the Government be pleased to say how many Arya Samajists and Hindu Sabha workers were murdered in these provinces since 1925 to September, 1927, including the murders of Arya Samajists of Hamirpur district ?

(b) Will the Government be pleased to say whether the culprits were challaned ? If so, in which cases and from which districts ? If not, why not ?

(c) Will the Government be pleased to state the names of police officers who investigated into these murders ?

(d) Will the Government be pleased to say if the investigations were entrusted to the Criminal Investigation department ? If not, why not ?

The Hon'ble Sir Sam O'Donnell : (a) The honourable member presumably refers to the murders of Badri Shah in the Bahraich district and of Rai Bahadur Bahadur Singh in the Pilibhit district. Government know of no murders of Arya Samajists in the Hamirpur district.

(b), (c) and (d) Government are unable to make any statement in regard to the murders at Bahraich and Pilibhit, as the cases are *sub judice*.

ALLEGED INSULT TO A MAGISTRATE AT RANIKHET.

*370. **Pandit Badri Dutt Pande :** (a) Is it a fact that a first class magistrate (Mr. Hyder) in the Ranikhet sub-division of the Almora district was abused by a certain military officer in open court ?

(b) Was any report made to the military authorities regarding this misbehaviour of the military officer concerned ?

The Hon'ble Sir Sam O'Donnell : (a) No.

(b) Does not arise.

GRANTS RECEIVED BY SOCIETIES FOR PROPAGANDA WORK AMONG THE NAIKS.

*371. **Pandit Badri Dutt Pande :** In reference to paragraph 5 (b) of the report of the Naik Reform Committee, will the Government be pleased to state what are the society or societies that are receiving grants for propaganda work among the Naiks ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : None.

*372. **Pandit Badri Dutt Pande :** Does Government know that the Prayag Sewa Samiti is carrying out excellent propaganda work, both educative and moral, among the Naiks ? If so, is Government prepared to support this Samiti financially in accordance with the recommendation of the Naik Reform Committee's report ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Government understand that the Prayag Sewa Samiti has started a school in Naikana in the Garhwal district for the education of the children of Naiks, and is giving a grant of Rs. 4 per mensem to an aided lower primary school in village Katarmal in the Almora district. A volunteer paid by

the same Samiti is said to be doing propaganda work in the Pithoragarh sub-division of the Almora district.

(b) When an application is made the matter will be considered on its merits.

UNSTARRED QUESTIONS.

EMPLOYEES IN THE MUNICIPAL AND DISTRICT BOARDS OF THESE PROVINCES.

1. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to supply to the Council the following information in the tabulated form given below :—

- (a) The total number of employees in each department of (1) the municipal and (2) district boards of these provinces.
- (b) The number of Hindu, Muslim and Indian Christian employees in each department of (1) municipal and (2) district boards of these provinces.
- (c) The amount of pay drawn by Hindu, Muslim and Indian Christian employees in each department of (1) every municipal and (2) every district board of these provinces ?

Sir Ivo Elliott : The statements are being prepared and will be laid on the table on a subsequent date.

VILLAGE PANCHAYATS IN THE MEERUT DISTRICT.

2. **Chaudhri Dharamvir Singh :** (a) Will the Government be pleased to give a complete list of the village *panchayats* in existence in the Meerut district at the end of March, 1927, and also to give the number separately of civil and criminal cases decided by each so far as well as the number of years each has been in existence ?

(b) How many *panchayats*, if any, failed in the Meerut district on account of mismanagement ?

Sir Ivo Elliott : The statement is not yet complete and a reply will be given at a later date.

RECOMMENDATION OF THE UNITED PROVINCES DISTRICT BOARDS CONFERENCE.

3. **Raja Kushal Pal Singh :** Has the attention of the Government been drawn to the following recommendation of the United Provinces District Boards Conference held at Jaunpur in February last :—

Maintenance of roads.

“ In the opinion of the Conference this responsibility of the maintenance and the repair of intra-municipal roads does not lie on the district boards. This Conference is of opinion that the district boards may, if they so desire, get rid of this responsibility by converting them into sixth class roads ? ”

Will the Government be pleased to state what action they propose to take in the matter ?

Sir Ivo Elliott : In any case in which a dispute arises between a district and municipal board the Government are prepared to take action as provided under the law.

A district board which is entrusted with the management of a road cannot rid itself of the responsibility imposed under the District Boards Act for making reasonable provision for the maintenance of the road.

4. **Raja Kushal Pal Singh :** Has the attention of the Government been drawn to the following recommendation of the United Provinces District Boards Conference held at Jaunpur in February last :—

“ This Conference strongly urges upon the Government the desirability of amending the Stage Coaches Act with the object of vesting the authority in the district boards to issue licences on payment of necessary fees to the owners of wheeled vehicles within the jurisdiction of their areas as has been done in the case of municipalities ? ”

Will the Government be pleased to state what action they propose to take in the matter ?

Sir Ivo Elliott : No.

USE OF SECTION 562 OF THE CRIMINAL PROCEDURE CODE MADE BY THE AUTHORITIES OF JHANSI.

5. **Pandit Bhagwat Narayan Bhargava :** In how many cases did the Sub-Divisional Magistrates, the District Magistrate, the Assistant Sessions Judge and the Sessions Judge of Jhansi make use of section 562 of the Criminal Procedure Code since the enforcement of the new Code ?

Mr. R. L. Yorke :

District Magistrate	..	...	...	Nil
Sub-Divisional Magistrates	...	...	...	146
Sessions Judge	...	...	...	1
Assistant Sessions Judges	...	...	...	Nil

FINE IMPOSED ON DEFAULTING PARENTS UNDER THE MUNICIPAL COMPULSORY EDUCATION ACT.

6. **Pandit Bhagwat Narayan Bhargava :** What was the smallest and highest amount of fine that was imposed on defaulting parents under the Municipal Compulsory Education Act on first and subsequent defaulters in Jhansi and Jalaun districts during the years 1926 and 1927 ?

Mr. Panna Lal : A statement is placed on the table of the honourable member.

(See Appendix BB, page 180.)

IMPOSITION OF TAX ON SALE OF LIQUOR BY MUNICIPAL BOARDS.

7. **Pandit Bhagwat Narayan Bhargava :** Has any municipal board in the United Provinces imposed any tax or fixed any licence by means of bye-laws for sale of liquor or drugs within their jurisdiction ? If so, which and under what section of the Municipalities Act ?

Sir Ivo Elliott : No municipal board in the United Provinces, except Nawabganj (Bara Banki), has imposed any tax or fixed any licence fee.

for the sale of liquor or drugs. The Nawabganj municipal board has imposed an octroi tax on foreign liquors and drugs. The commissioner has, however, been asked to exempt all drugs liable to excise duty from the tax.

FOUNDATION OF BANKS BY MUNICIPAL BOARDS.

8. **Pandit Bhagwat Narayan Bhargava**: Has any municipal board in the United Provinces started any banks on the lines of co-operative banks of their own? If so, which?

Sir Ivo Elliott: The reply is in the negative.

INCOME DERIVED FROM THE PILGRIM TAX AT AJODHYA.

9. **Raja Raghuraj Singh**: Will the Government kindly lay a statement on the table setting forth the following facts:—

- (a) Total annual income derived from the pilgrim tax at Ajodhya?
- (b) What part of this income is spent on the improvement of roads and sanitation of the Ajodhya municipality?
- (c) What part of it is utilized by the Fyzabad municipality?

Sir Ivo Elliott: (a) The average annual income is Rs. 53,000.

(b) and (c) Figures are not available. Fyzabad and Ajodhya are combined in one municipality.

GOVERNMENT PLEADER OF BIJNOR.

10. **Mr. Zahur Ahmad**: How many times during 1925, 1926 and 1927 has the Government Pleader of Bijnor been on leave, and for what period in each year?

Mr. R. L. Yorke: 1925. Once. Sick leave for two months 21 days.

1926. No leave.

1927. Twice. Medical leave three weeks; leave on private affairs about three weeks.

11. **Mr. Zahur Ahmad**: How many times during the same period has he handed over briefs of Crown cases to others?

Mr. R. L. Yorke: No record is available.

12. **Mr. Zahur Ahmad**: How many times has he handed over briefs after previous sanction?

Mr. R. L. Yorke: No record is kept, but previous sanction has been obtained in all cases.

13. **Mr. Zahur Ahmad**: Is it not a fact that he gave preference to his private practice cases in other districts over Crown cases of Bijnor?

Mr. R. L. Yorke: No.

14 and 15. **Thakur Gulab Singh**: [*Postponed at the request of Government till the meeting of the Council on December 21, 1927.*]

GOVERNMENT INTERMEDIATE COLLEGES IN THE UNITED PROVINCES.

16. **Thakur Gulab Singh**: Will the Government be pleased to state—

- (a) the number of places where Government Intermediate Colleges are opened;

- (b) the number of scholars on the roll in those colleges in classes XI and XII on August 1, 1927 ;
- (c) the cost of the staff per mensem employed for these two classes of each place separately ;
- (d) the amount of fees realized per month from the students of classes XI and XII in each college ?

Mr. Panna Lal : Inquiries have been made. A reply will be given at a later date.

CASTES OF DEPRESSED CLASSES.

17. **Chaudhri Dharamvir Singh :** Will the Government be pleased to name the castes which for the purposes of the Education Department are included in the phrase " Depressed classes ?"

Mr. Panna Lal : The honourable member is referred to the reply given to starred question No. 86 asked by Khan Bahadur Hafiz Hidayat Husain on March 12, 1926.

NON-MUSLIM TEACHERS AND SCHOLARS IN ISLAMIA SCHOOLS.

18. **Chaudhri Dharamvir Singh :** Are there any non-Muslim teachers in Islamia schools ? If so, will the Government be pleased to give their number ?

Mr. Panna Lal : Inquiries have been made. A reply will be given at a later date.

19. **Chaudhri Dharamvir Singh :** Are there any non-Muslim scholars in Islamia schools ? If so, will the Government be pleased to give their number ?

Mr. Panna Lal : Inquiries have been made. A reply will be given at a later date.

TRAINING OF SCOUTS IN THE UNITED PROVINCES.

20. **Chaudhri Dharamvir Singh :** In how many schools in the United Provinces does provision exist at present for the training of scouts ? What is the total number of scouts in schools ? How many of them are Sewa Samiti scouts ?

Mr. Panna Lal : Information is being collected ; a reply will be given at a later date.

TRAINING OF *dais* IN THE UNITED PROVINCES.

21. **Chaudhri Dharamvir Singh :** What is the total number of *dais* undergoing training in these provinces ? In how many and which hospitals in the United Provinces does there exist provision for the training of *dais* ?

Sir Ivo Elliott : (a) Forty-two.

(b) Sixty candidates in all can be trained at the following institutions :—

1. Dufferin Hospital, Allahabad.
2. Ditto, Cawnpore.
3. Ditto, Lucknow.
4. Ditto, Aligarh.
5. Ditto, Bahraich.

6. Dufferin Hospital, Bara Banki.
7. Ditto, Gorakhpur.
8. Ditto, Meerut.
9. Ditto, Saharanpur.
10. Ditto, Shahjahanpur.
11. Ditto, Sitapur.
12. Ditto, Gonda.
13. Ditto, Ghazipur.
14. Ditto, Mirzapur.
15. Ditto, Partabgarh.
16. Ditto, Bareilly.
17. Ishwari Memorial Hospital, Benares.
18. Women's Hospital, Budaun.
19. Ditto, Dehra Dun.
20. Ditto, Moradabad.
21. Lady Porter's Hospital, Bulandshahr.
22. L. D. J. Zauana Hospital, Khurja.
23. Mrs. Rustamjee's Dufferin Hospital, Fatehpur.
24. Singhari Memorial Hospital, Hathras.
25. Crosthwaite Women's Dispensary, Naini Tal.
26. Maternity and Child Welfare Centre, Allahabad.
27. Mrs. Stubbs' Society, Bareilly.
28. Women's Medical School, Agra.

READERS OF THE ALLAHABAD AND THE LUCKNOW UNIVERSITIES.

22. **Chaudhri Dharamvir Singh** : Will the Government be pleased to supply the following information about each of the Allahabad and the Lucknow Universities :—

- (1) The number of readers in the University.
- (2) The total amount of money spent in paying monthly salaries to readers in the University.
- (3) The highest salary that a reader gets in the University.

Mr. Panna Lal : A statement is placed on the table of the honourable member.

(See Appendix CO, page 181.)

MUSSOORIE CITY BOARD.

23. **Maulvi Tufail Ahmad** : Has the attention of the Minister of Local Self-Government been drawn to the proceedings of the Mussoorie City Board held on May 23 and June 14, 1924?

Sir Ivo Elliott : No.

24. **Maulvi Tufail Ahmad** : Is the Government aware that the chairman, City Board, Mussoorie, is away in England and has not been able to attend any meetings for nine months?

Sir Ivo Elliott : Yes. The chairman had to leave Mussoorie for England on urgent private affairs, but he addressed the board before leaving explaining the situation and the arrangements he had made with the senior and junior vice-chairmen for carrying out his duties during his absence.

25. Maulvi Tufail Ahmad : Is it also a fact that some members, city fathers of Mussoorie city board, have brought themselves under the provisions of section 40 (1) (a) of the Municipal Act?

Sir Ivo Elliott : Yes, but this is due to the peculiar circumstances at Mussoorie which many members leave at the beginning of the cold weather, during which period the administration is carried on by a winter committee.

26. Maulvi Tufail Ahmad : If the replies to the three preceding questions be in the affirmative, will the Hon'ble Minister of Local Self-Government be pleased to inform the Council if he intends to take any action to remedy this state of affairs?

Sir Ivo Elliott : Government do not consider that any action is necessary.

27. Maulvi Tufail Ahmad : Has the attention of the Hon'ble Minister for Local Self-Government been drawn to the proceedings of the meeting of the city board, Mussoorie, held on August 23, 1927?

Sir Ivo Elliott : No.

HYDRO-ELECTRIC SCHEMES IN THE HILLS.

28. Pandit Govind Ballabh Pant : Has the Government prepared any hydro-electric scheme for the hills? Was any survey made for this purpose? If so, will the Government be pleased to lay the report on the table?

The Hon'ble Sir Sam O'Donnell : The following hydro-electric schemes were prepared :—

- (1) Kosi river Khumeria-Garjia scheme.
- (2) Ramganga-Kosi hydro-electric scheme.

Yes.

A printed copy of the schemes is placed on the table.

SITE TAX AT TANAKPUR.

29. Pandit Govind Ballabh Pant : Is any site tax levied on the residents of Tanakpur? If so, at what rate? Who is in charge of lighting and other arrangements? Is there any local body? Did the residents of Tanakpur apply to the Deputy Commissioner of Naini Tal for the formation of a notified area at Tanakpur? Is it the intention of Government to declare Tanakpur a notified area? Is there any panchayat at Tanakpur for trying civil and criminal cases? If not, is it the intention of the Government to form one?

Sir Ivo Elliott : (a) Yes, at anna one to two per square yard, according to the quality of the site.

(b) The Superintendent, Tarai and Bhabar Government estates.

(c) No.

(d) Yes.

(e) No.

(f) No.

(g) No.

AUDIT OBJECTIONS AGAINST THE DISTRICT BOARD OF BAHRAICH.

30. Khwaja Khalil Ahmad Shah : Will the Government be pleased to state the number of audit objections against the district board of Bahraich for the years 1923-24, 1924-25 and 1926-27 with the auditor's remarks? Will the Government be pleased to state how many of these objections still remain unsatisfied by this board?

Sir Ivo Elliott : The original numbers were 72, 125, 152 and 153. Of these the numbers which remained unsatisfied were 17, 26, 39 and 16. Copies of the audit reports will be laid on the honourable member's table.

31. Khwaja Khalil Ahmad Shah : Is the Government aware that a good number of files are still pending the decision of this board and will the Government be pleased to give the number of such pending files?

Sir Ivo Elliott : The chairman reports that no files are pending.

32. Khwaja Khalil Ahmad Shah : Will the Government be pleased to state if any work has been done in the monthly meetings of this board for the last three or four months?

Sir Ivo Elliott : In the August meeting only one of 211 items on the agenda was settled. In the September meetings no business was transacted except that the annual report was passed. The outstanding items were disposed of at an adjourned meeting at the end of October.

33. Khwaja Khalil Ahmad Shah : Will the Government be pleased to state the sum that has been expended by this board for the printing of its agenda since the inauguration of the second non-official board?

Sir Ivo Elliott : Rupees 462-7.

34. Khwaja Khalil Ahmad Shah : Will the Government be pleased to state what amount of money has been spent by the chairman of this board which does not bear the sanction of the board?

Sir Ivo Elliott : Rupees 1,200 for audit and Rs. 119-10 for country medicine.

35. Khwaja Khalil Ahmad Shah : Will the Government be pleased to state for how many months the monthly accounts of this board have not been passed by the board?

Sir Ivo Elliott : The chairman reports that the monthly accounts have been passed every month.

36. Khwaja Khalil Ahmad Shah : Will the Government be pleased to state how many cases of embezzlement have occurred in this board since 1923; how many of these cases were reported to the Commissioner of Fyzabad division and the Chief Auditor in accordance with section 112 of the Accounts Rules; and how many of such cases have been detected by the auditors since 1923?

Sir Ivo Elliott : No cases have been reported to the commissioner and the chairman reports that no action under rule 112 of the Accounts Rules was necessary, but that the auditors referred to two cases in the note for the year 1925-26.

37. Khwaja Khalil Ahmad Shah : If the answer of questions Nos. 30 to 36 are in the affirmative then what action does the Government intend to take against the district board, Bahraich?

Sir Ivo Elliott : The Government will require the board to take satisfactory action on the outstanding audit objection.

TRANSFER OF LADY DOCTOR OF THE FEMALE DISPENSARY AT BANDA.

38. **Babu Kishori Prasad :** (i) Is it a fact that the Banda district board moved the medical authorities to transfer the lady doctor of the female dispensary at Banda ?

(ii) Will the Hon'ble Minister be pleased to say why she was not transferred ?

Sir Ivo Elliott : The chairman of the board first asked for her transfer and then asked that the transfer should be postponed.

GIRLS RECEIVING EDUCATION IN THE WOMEN'S MEDICAL SCHOOL, AGRA.

39. **Chaudhri Dharamvir Singh :** Will the Government be pleased to state the number of girls at present receiving education in the Women's Medical School, Agra ? How many of them are Hindus and how many Muhammadans ?

Sir Ivo Elliott : The number of girls at present receiving education in the Women's Medical School, Agra, is 75, of whom 16 are Hindus and 3 Muhammadans.

40. **Chaudhri Dharamvir Singh :** Will the Government be pleased to state if it is a fact that there are no dining rooms for Hindu and Muhammadan girls in the boarding house of the Women's Medical School, Agra ? Is there one for Christian girls ?

Sir Ivo Elliott : (a) The Hindu and Muhammadan students had a separate dining room until the present session, when owing to a large influx of students it had to be converted into a dormitory. The question of providing dining rooms for them is, however, under consideration.

(b) There is a dining room for Christian students who number 46 as against 16 Hindus and 3 Muslims.

OFFICIAL INTERFERENCE IN DISTRICT BOARD ELECTIONS AT JHANSI, MAINPURI AND PARTABGARH DISTRICTS.

41. **Thakur Gulab Singh :** Is it a fact that an inquiry was promised by the Government into the allegations of official interference in district board elections at Jhansi, Mainpuri and Partabgarh districts ?

Sir Ivo Elliott : The honourable member is referred to the answer to starred Council question No. 80 of April 2, 1927.

42. **Thakur Gulab Singh :** If the answer to the above question is in the affirmative, will the Government be pleased to lay on the table a copy of the results of inquiry made in those districts ?

Sir Ivo Elliott : The report was laid on the table on March 24, 1927.

APPOINTMENTS OF PROVINCIAL MEDICAL SERVICE OFFICERS AS OFFICIATING CIVIL SURGEONS.

43. **Thakur Gulab Singh :** (a) Will the Government be pleased to state the reasons for the supersession of senior Provincial Medical Service officers by their juniors in the matter of appointment as officiating civil surgeons ?

Sir Ivo Elliott : No.

44. **Thakur Gulab Singh** : Will the Government be pleased to state—

(a) the number of sub-assistant surgeons on the Government list on October 1, 1927 ?

(b) how many of them are on duty, leave and reserve, respectively ?

Sir Ivo Elliott : (a) 394.

(b) (i) 327.

(ii) 26.

(iii) 41.

DISPENSARIES TAKEN OVER BY THE DISTRICT AND MUNICIPAL BOARDS.

45. **Thakur Gulab Singh** : (a) Will the Government be pleased to state the number of dispensaries so far taken over by the district boards and municipal boards ?

(b) Will the Government be pleased to consider the advisability of allowing the district boards to take over all the dispensaries which are in charge of sub-assistant surgeons and of provincializing the sadr hospitals ?

Sir Ivo Elliott : (a) Seventy-one.

(b) It is not possible to transfer all dispensaries as long as present members of the Provincial Subordinate Medical Service continue to be employed. The Government are not prepared to provincialize sadr hospitals except in special circumstances. A scheme is under consideration for securing the better maintenance of these hospitals.

DESIGNATION OF THE VERNACULAR MIDDLE EXAMINATION.

46. **Pandit Nanak Chand** : (a) Is it a fact that in 1898 the vernacular middle examination was designated as lower middle examination (vernacular or English), and the successful students at the said examinations held in December, 1898, were granted lower middle examination (English or vernacular) certificates by the Education department, North-Western Provinces and Oudh, in March, 1898, vide circular No. 5 of 1898 of the Director of Public Instruction, North-Western Provinces, Allahabad, dated March 17, 1898 ?

(b) Is it also a fact that from 1899 examination it was re-designated as vernacular middle examination ?

(c) Do Government treat lower middle examination (English or vernacular) of 1898 as equivalent to vernacular middle examination ? If so, why has this fact not been so stated in rule 335 of the Manual of Government Orders ?

(d) If the Government do not treat the lower middle examination of 1898 as equivalent to vernacular middle examination, then do Government require the officials possessing the certificate of 1898 examination to be exempted from the educational test ?

(e) Is the Government aware of the fact that some officers have treated the examination of 1898 as equivalent to vernacular middle examination and others regard the former as inferior to the latter ? Will Government issue clear instructions on the point ?

Mr. Panna Lal : (a), Yes.

(b) Yes.

(c) (1) Yes.

Kunwar Jagdish Prasad : (c) (2) The lower middle examination is not mentioned in paragraph 335 of the current Manual of Government Orders because ever since the year 1903 this examination has been called the vernacular final examination.

(d) In view of the answer to the first part of question (c), does not arise.

(e) Government are not aware of this, and the issue of special instructions does not, therefore, seem necessary. They will consider the matter if instances are brought to their notice.

TRANSFER OF MUHARRIRS FROM KHURJA TO QADIRBAGH AND VICE VERSA.

47. **Pandit Nanak Chand :** (a) Is it a fact that muharrir peshi of a bench of honorary magistrate at Khurja was transferred to Qadribagh bench and a muharrir peshi from the latter place to Khurja in July or August, 1927, by the order of Khan Bahadur Maulvi Rafi-ud-din Ahmad Sahib, Collector?

(b) Is it a fact that the Collector passed an order to the effect that the travelling expenses of the clerk transferred to Khurja shall be borne by the muharrir peshi transferred from Khurja? If not, what order, if any, was passed about travelling expenses and under what rules?

(c) What are the names of the two muharrirs peshi and why were they transferred?

Mr. R. L. Yorke : (a) Yes.

(b) No. The orders passed were that the muharrir transferred to Khurja from Qadribagh would bear his own expenses and those of the man transferred in exchange from Khurja, as the transfer was made at the request of the former and not in the interests of the public service.

(c) Muhammad Ejaz-ud-din.

Khurshid Husain.

GRANTS TO PRIVATE DENOMINATIONAL SCHOOLS AND COLLEGES IN THE PROVINCE.

48. **Khan Bahadur Hafiz Hidayat Husain :** (a) Will the Government be pleased to supply a list of all private denominational schools and colleges in the province to whom recurring and non-recurring grants have been made during the year 1926-27 and for the half year 1927-28, that is from April 1, 1927 to September 30, 1927?

(b) What is the amount paid under each head (recurring and non-recurring) and the purpose for which each sum has been paid?

Mr. Panna Lal : The information is being collected.

JUDGE'S COURT MUNSARIMS IN THE UNITED PROVINCES.

49. **Khan Bahadur Mr. Masud-ul-Hasan :** Will the Government be pleased to state how many judge's court munsarims, (a) in the province of Agra, and (b) in the province of Oudh are Musalmans?

Mr. R. L. Yorke : (a) Four.

(b) One.

CIVIL COURT MINISTERIAL STAFF.

50. **Khan Bahadur Mr. Masud-ul-Hasan** : Will the Government be pleased to state—

- (1) What is the total number of the civil court ministerial staff?
- (2) How many amongst them are Hindus and how many Musalmans?
- (3) What is the total number of employees drawing a salary of rupees hundred or more—(a) Hindus and (b) Musalmans?

Mr. R. L. Yorke : (1) Two thousand five hundred and eighty-four.

(2) Hindus 1,833.

Musalmans 736.

(3) (a) 253.

(b) 92.

STUDENTS OF THE INTERMEDIATE COLLEGE, ETAWAH.

51. **Pandit Devata Prasad** : (a) Is the Government aware of the fact that the students of the Intermediate College, Etawah, were flogged some time in September? If so, when and why? And what was the nature of the fault and the punishment given?

(b) Is it a fact that the concessions of the concession-holders were withheld for a certain period? Was the sanction of the higher authorities acquired?

(c) Is it a fact that the boys and their parents were compelled to give a certain sort of undertaking?

(d) Is it a fact that the threat of expulsion was given to boys in order to acquire it?

(e) Is it a fact that the students always enjoyed a half day leave on Shri Mahadeoji's *burat* day and it was withheld this year? Was it permitted before?

Mr. Panna Lal : (a) Four boys were caned. In September, 1927. For absence from school without leave.

(b) Yes, but the order was subsequently withdrawn and the boys were fined. No.

(c), (d) and (e) No.

COMMITTEE ON PUBLIC ACCOUNTS.

The Hon'ble Sir Sam O'Donnell : I beg to present the twelfth report of the Committee on Public Accounts. I should like, instead of moving that the report as a whole be taken into consideration, to move that paragraph 19 of the report alone be taken into consideration.

The Hon'ble the President : Is it the idea that the rest of the report will be brought up later for consideration?

The Hon'ble the Finance Member : Yes.

The Hon'ble the President : Does this meet Mr. C. Y. Chintamani, who has a motion for postponement on the agenda?

Mr. C. Y. Ohintamani: I do not oppose the motion of the Hon'ble the Finance Member. If you will permit me, Sir, I would like to state in a word or two why I do so.

As honourable members are aware, it was the original intention of the Finance Member to move that the entire report be considered, and it was my original intention to move that the consideration of the entire report be postponed till a later date. Since then, I have understood, through the courtesy of the Finance Member, the delicate reasons which prevent him from accepting my motion of postponement, and it has been agreed between him and me that I should not oppose this motion for the consideration of paragraph 19 only. But I should like to state that this paragraph 19 is a very important paragraph, as it refers to a memorandum on the financial position of the United Provinces Government during the last five years. That memorandum itself refers to the appropriate passages in the Appropriation Report of the Director of Audit. As the Finance Member will not be here as Finance Member when the next Council meets he felt that it was due to his successor that the matter should be disposed of while he was on the spot to answer criticisms, instead of being reserved for his successor to answer them. I appreciate his point of view, and I am glad that he has appreciated my point of view, that adequate time has not been given to the Council to consider this entire report. When the Budget is presented to us in March next there will be nothing to prevent us from considering all the matters dealt with in the Appropriation Report or in the memorandum on the finances of the last five years. Only, so far as the consideration of the report of the Public Accounts Committee is concerned, I agree, for personal reasons, that the Finance Member should be able to get it disposed of at today's meeting of the Council. This explains the position so far as I am concerned, and for this reason, and this alone, I do not oppose the motion.

The Hon'ble Sir Sam O'Donnell: The Honourable Member for Partabgarh has stated quite clearly the reasons why I wish this paragraph to be considered. It refers to the financial position of the provinces, and in particular draws attention to a memorandum reviewing the financial result for the last five years. During these five years I was Finance Member, and I have had a special responsibility for the financial administration during the last five years. I think, therefore, that honourable members will agree with me that discussions on the paragraph and memorandum should take place whilst I am here, and not be deferred to a date when there will be another Finance Member who has had no responsibility in the matter. So far as the rest of the report goes, it contains nothing the discussion of which cannot be deferred till a later date, but I hope the Council will agree that, as far as this paragraph is concerned, it is right that the discussion on it should take place in my time.

The Hon'ble the President: The question is that the 19th paragraph of the twelfth report of the Public Accounts Committee be taken into consideration.

Pandit Bhagwat Narayan Bhargava: I oppose the motion of the Hon'ble the Finance Member that paragraph 19 be considered today. My reason will be clear to honourable members from that paragraph itself. Sir, we could not get sufficient time to go through the financial position of all these years, we cannot do so simply by reading just now annexure VII given at the end of this report. Personally, I got this report on the

11th or 12th December. I think other members also could not have got it earlier. If we consider this paragraph in our hurry to get to the non-official business the day after tomorrow, if we pass this paragraph without considering the consequences of it, I think we shall be committing ourselves to a policy for which we may afterwards repent. If you will read a few lines of this paragraph you will find this: "We draw the attention of the Council to the full and clear Government memorandum, printed as annexure VII, which explains that in the year 1928-29 the surplus available for new expenditure in any event will be small *unless the Council is disposed to accept proposals for taxation.*"

The Hon'ble the President: This is a matter for amendment. The honourable member should have given notice of an amendment to the paragraph.

Pandit Bhagwat Narayan Bhargava: I submit that we did not get sufficient time to go through the report and give notice of any amendment, and therefore we should not be in a hurry to accept the findings of the Government given in this paragraph. I do not think, Sir, any member of this Council will readily agree to any sort of proposals for taxation and therefore we must postpone the consideration of paragraph 19. I think that if the Finance Member had even proposed that the rest of the report should be considered, excepting paragraph 19, I might have accepted his proposal. But simply for the reason that we must give very serious consideration before we commit ourselves to a proposal for new taxation or to the position that without this our financial position will be very bad and deplorable for the year 1928-29. For those reason I oppose the motion of the Hon'ble Finance Member, and I hope all my friends here will support me.

Mr. E. A. H. Blunt: The speech made by the honourable member and the various questions that he has raised show that there is a certain amount of misconception regarding what we are at present doing with this report. I am afraid that it is to a certain extent the fault of the Government, because in the past they have invariably taken a wrong course in dealing with it. We have always moved that this report be *adopted* by the House. But recently I made inquiries in high quarters, and I found that that procedure was wrong. This is merely a report presented to the Council, to be considered by them. They can criticize it, but what they cannot do is to alter it. If the Honourable Member for Partabgarh wrote me a letter which contained remarks that I did not like I could not alter that letter, though I might criticize it. Similarly with this report. The Council can criticize it, but it cannot alter it. Consequently, as the Council is not asked to adopt the report as their own they are not in the least committed to any view that is expressed by the Public Accounts Committee therein. They can differ from it profoundly. That solves the honourable member's difficulty. He thinks that these words about taxation commit the Council to approval of such taxation. But because the Public Accounts Committee took that view it does not follow that the Council should also take it. They can agree or disagree with it. Instead, all that they are at present asked to do is to criticize this particular paragraph. If there is any definite point on which they consider that a motion should be made, it should form the subject of a separate resolution, a resolution of the ordinary kind. That is the correct procedure.

The Hon'ble the President : The report is before the House, and the House has a right to criticize it.

Mr. E. A. H. Blunt : Yes, the right to criticize it. There is no right to alter it. It is a report of somebody else, and we cannot alter it. We can merely criticize.

Raja Jagannath Bakhsh Singh : What will be the effect of the motions carried against the report ?

The Hon'ble the President : The Hon'ble the Finance Member has moved that the report be taken into consideration, and there is opposition to it. If the House agrees to take the report into consideration then they will take it into consideration, and if there are any amendments they will discuss them.

Raja Jagannath Bakhsh Singh : In case a motion is carried against a certain paragraph of the report what will be the effect ?

The Hon'ble Sir Sam O'Donnell : It is a recommendation, like every resolution.

Pandit Govind Ballabh Pant : Sir, may I know whether there is anything to be put to the vote if the motion to consider the report has been adopted by the Council, whether you will be pleased to ask the House whether they adopt any portion of the report, or whether only the motion that the report be taken into consideration is to be put to the vote ?

The Hon'ble the President called on Hon'ble the Finance Member to state his position.

The Hon'ble Sir Sam O'Donnell : The position about that is this. Unless a resolution is presented there is nothing else to be put to the vote. If the honourable member wishes to put forward any resolution he can do so at once. I am quite prepared to waive notice.

The Hon'ble the President : If any amendments are tabled, honourable members will have permission to do so.

The Hon'ble Sir Sam O'Donnell : As Mr. Blunt has explained, an amendment does not alter the report. Ordinarily any resolution can be taken in connexion with the report. As I have said I am prepared to waive notice of any resolutions.

Mr. C. Y. Chintamani : Resolutions in what form ?

The Hon'ble Sir Sam O'Donnell : " This Council recommends," etc.

Mr. C. Y. Chintamani : What will be the effect ?

The Hon'ble Sir Sam O'Donnell : The report is there for the information of the Council.

Mr. C. Y. Chintamani : What does ' consideration ' mean ?

The Hon'ble Sir Sam O'Donnell : The Council can criticize the report and criticize the Government.

The Hon'ble the President : Last time there was an amendment as regards stores purchase.

The Hon'ble Sir Sam O'Donnell : Yes, there was. Since then we have ascertained that that is not the correct procedure. There are no amendments moved in the House of Commons on the report. Rightly or wrongly they have made a certain report. They may be right or they be wrong. But it is their report.

The Hon'ble the President : When did the Government ascertain that the procedure is wrong?

The Hon'ble Sir Sam O'Donnell : Only recently Mr. Blunt made that inquiry.

The Hon'ble the President : I wish the Chair had been informed of it. If there is any change in procedure the Chair should have been taken into confidence.

The Hon'ble Sir Sam O'Donnell : I will not object if amendments are moved. I do not object to it.

The Hon'ble the President : Amendments may be moved.

Mr. C. Y. Chintamani : May I ask for your permission to say a word or two on the highly important constitutional issue that has been suddenly raised by the Finance Secretary?

The Hon'ble the President : So far as we are concerned at present we are not going to discuss the constitutional point. Amendments will be in order, and honourable members can discuss the report as hitherto. As regards the future procedure we shall see to it later.

Mr. C. Y. Chintamani : That was not the point which I wished to raise. It was the major point whether the report of the Public Accounts Committee was or was not to be adopted by the Legislative Council. The Finance Secretary has just stated that the procedure hitherto followed all these years from 1921 to 1927 has been wrong; that he has ascertained from somewhere that the report is not to be adopted at all by the Council—it has only to be considered by the Council. The Hon'ble the Finance Member subsequently said that he would have no objection personally if an amendment was to be moved. That leaves the position very much in the air. What exactly is the relation in which the Public Accounts Committee of the Council and the Council stand to each other? Is the report of that body presented to us only for general criticism, or is it to be adopted by us, i.e., approved by us with or without amendments. To say that because the Finance Member personally has no objection to amendments being moved therefore they may be moved, to say that the Finance Secretary has made some inquiries of which we are not aware (and, as you have been pleased to say just now) you are not yourself aware, to say that the whole procedure which we have adopted for six years has been wrong—this raises a very important issue. I submit, with all respect, that it is fair to the Council not to pronounce any authoritative opinion on what is and what is not correct procedure with regard to the Public Accounts Committee without much more consideration. Whether the report is to be adopted by the Council with or without amendments, or whether it is only to be considered by the Council in the sense that general speeches can be delivered, whether resolutions that the Council may pass on the report will have the status of only a recommendation to the Government which the Government are at liberty to accept or not to accept—these are highly important points. I think the situation has been very much complicated since the Finance Member and I last spoke by the statement made by the Finance Secretary. I therefore think that the matter should be given further consideration without any amendments or any resolution being moved and without the Council committing itself to a definite opinion at this stage.

The Hon'ble the President asked Hon'ble the Finance Member to put forward his views.

The Hon'ble Sir Sam O'Donnell : So far as I am concerned, I am quite prepared to follow the procedure which we followed on previous occasions. If it is desired that, first, it be moved that paragraph 19 be adopted, and then amendments be put in, I am ready to accept that procedure. If, on the other hand, it is desired that there should simply be a general discussion as on the Budget, that procedure, too, would be agreeable to me. I am, in fact, ready to meet honourable members in every way.

The Hon'ble the President : The point raised by the Finance Secretary was certainly a new one, and I accordingly remarked a short while ago that the Chair even did not know that the practice, which this House has been consistently following since 1921, was wrong or not. Without, therefore, going into the merits of the procedure, which, as coming from the Finance Secretary, was in the nature of an *obiter dictum*, it will be a matter of later discussion. As far as the Chair is concerned, we shall go, and we must go, according to the practice which we have been following hitherto; the new change need not be made until we have gone into the matter more carefully.

The present motion is that paragraph 19 of the report be taken into consideration, which means that if the House agreed to take that paragraph into consideration amendments could be moved to it, and in this matter the Hon'ble the Finance Member has undertaken to waive his right of notice.

Pandit Iqbal Narayan Gurtu : Shall I be in order if I moved that the words "which explains" down to "debt charges" be deleted in paragraph 19 of the report?

The Hon'ble the President : Yes. The position is that if the House agrees to take into consideration paragraph 19 of the 12th report of the Committee on Public Accounts it can deal with the amendment of Pandit Iqbal Narayan Gurtu later.

Question, that the 19th paragraph of the 12th report of the Committee on Public Accounts be taken into consideration, put and agreed to.

The Hon'ble Sir Sam O'Donnell : I move that paragraph 19 of the report be adopted.

Pandit Iqbal Narayan Gurtu : I beg to propose that the last four lines, beginning with the words "which explains that" and ending with the words "from a reduction of debt charges" be omitted. As the Hon'ble the Finance Member has moved that paragraph 19 be adopted let the Council understand clearly what will be the result of the adoption of that paragraph. The result will clearly be that the Council will be in a way committing itself from now—without going into the matter carefully—to the policy of the introduction of fresh taxation in the financial year 1928-29. It is the duty of the honourable members of this House to clearly realize their responsibility to the tax-payer, whose representatives they are. If the honourable members, after studying the memorandum submitted by the Government, are convinced that a strong case has been made out by the Government for the introduction of fresh taxation in March next year, they may then say: "Yes, Government has made out a good case for taxation." Unless honourable members are absolutely clear in their minds, unless they have thoroughly studied the memorandum and the appropriation

reports and the budgets of the last five years, there is a clear duty cast upon them not to commit themselves, even by implication, to any definite policy as to the next year. It is the business of the Finance department to bring forward any proposals for taxation that they think necessary when the Government introduces the next Budget. That will be a matter for the next Finance Member to deal with. While the Hon'ble the Finance Member has very delicate feelings on the point that affairs relating to his period should not be discussed in the time of the next Finance Member, I think he should be equally considerate to his successor that he should not introduce any suggestion for taxation now and anticipate the decision of his successor. The Hon'ble the Finance Member assures me that he does not want to do that. Why does he then insist that this paragraph which contains these suggestions should be accepted by the Council now? Why does he oppose my proposal that this portion of the paragraph may be deleted? The proposal can be considered in March next. It will be very unfair to ask the Council to commit itself indirectly to a policy of such a serious character from now, when the honourable members have hardly had three or four days to read, understand, and digest this big report containing facts and figures and details which, I daresay, would be even impossible for my learned friend the Finance Secretary to digest if the matter were placed before him suddenly. Under these circumstances it would certainly have been much better if the discussion of this report had been postponed. But that has not been done. Now we have to discuss this report, and we have to consider it. In the circumstances I say that we have a strong case when we ask the Government to accept our suggestion that they should not compel us to commit ourselves, even though it may be indirectly, to a policy of taxation for the next year.

Pandit Bhagwat Narayan Bhargava: I support the motion of my friend Mr. Gurtu. Originally I wanted that the consideration of this paragraph also may be postponed. But as it has not been done I support this motion. I think no honourable member in this House will admit the charge against any of them that they had been so careless as not to have read the report, especially annexure 7. The only reason why we find the absence of any notice of an amendment to this paragraph is that they did not get sufficient time to go through this report. Even if this amendment of Mr. Gurtu is adopted, our attention will have been drawn to annexure 7. If honourable members will see annexure 7, paragraph 16, they will find that the Government wants to increase the expenditure by certain actions against which this Council has consistently made strong protests, and still the Government is going to follow the same course of action. In that paragraph it is said: "In the circumstances described the present rate of progress will inevitably be reduced in the next two or three years, unless the Legislature is willing to support proposals for increasing the provincial resources. Thereafter these resources should become more adequate to provincial needs than they have so far been. There are seven settlements in progress which, when completed, will bring in about eighteen lakhs. A fresh batch of settlements, yielding about the same total enhancement, will then begin; and operations on the same scale will continue till 1942." All of us are aware that this Council has consistently, and on every occasion which they could avail themselves of, passed resolutions and motions connected with the Budget that settlement operations should be discontinued. They cut out the entire provision for settlements in the last Budget. Still the Government continues to bring in proposals for new

[Pandit Bhagwat Narayan Bhargava.]

taxation, unnecessarily trampling down the wishes of this House. That has been the policy of the Government throughout. I think there should be nothing to prevent the Government from accepting this amendment, because if the Government wants that the wishes of the House should be respected, they should give up their present course of action, which will entail additional expenditure. As we could not get sufficient time to study the report, we are not in a position to make suggestions as to how the Government could improve the financial situation for the next year. But it is an open secret that in this House we have all along been making proposals for the reduction of expenditure in various departments on the reserved side, and, because the Government has got full powers under the present constitution not to take any notice of the wishes of this House, instead of adopting measures which might curtail expenditure in the reserved departments, Government wants to bring in proposals for fresh taxation to increase that expenditure. Taking into consideration the financial circumstances of the people of this province, I think no honourable member in this House will give his vote against the amendment. Our population is already hard-pressed; they are living from hand-to-mouth, and perhaps not even that, and as I am sure every honourable member will support this amendment and pass it unanimously.

The Hon'ble Sir Sam O'Donnell: The honourable member for the Allahabad University has proposed the omission of these words because he thinks that if this paragraph is adopted by the Council it commits the Council to the view that fresh taxation is necessary next year. Well, I was rather surprised to hear that argument, because I myself did not read the paragraph as in any way committing the Council, or for that matter the Public Accounts Committee. I read the paragraph simply as drawing attention to the contents of the memorandum. The memorandum states that fresh taxation will be necessary next year if further new expenditure on a considerable scale is to be incurred. That is the argument contained in the memorandum. All that the Public Accounts Committee did was to draw the attention of the Council to this paragraph. They make no comment upon it. It was not the intention of the Public Accounts Committee really to commit themselves in any way on the subject of taxation. All that they did was to draw the attention of the Council to this memorandum and the contents of this memorandum. If, however, honourable members feel that the retention of these words would commit, or might be so construed as to commit the Council to the view that fresh taxation is necessary, I would have no objection to their deletion. I have no wish to commit either the Council or the Government to a decision that taxation is necessary. If taxation is considered necessary by our successors they will, no doubt, bring forward proposals for new taxation, and then it will be for the Council to consider whether these measures are necessary or not. I entirely agree that the Council should not be asked at this stage to commit itself in any way to measures of taxation. As I have said, as the paragraph stands it does not commit them to fresh taxation. But if any honourable member thinks that these words might be so construed, then *pro majore cautela* as the lawyers say, let them be omitted.

Pandit Iqbal Narayan Gurtu: Why not accept my amendment?

The Hon'ble Sir Sam O'Donnell : I am quite prepared to accept your amendment if it is the feeling of the Council that these words ought to be omitted.

Pandit Govind Ballabh Pant : It is not necessary for me to take the time of the Council over the amendment. I may, however, state in passing that I read the language of this paragraph in the sense in which the Hon'ble Finance Member has interpreted it. I could not have accepted the argument if it had been made at the time of the Budget that by adopting this report the Council had committed itself to the view that fresh taxation should be imposed. But all the same there is some likelihood of some misapprehension being caused, as the representative of such an enlightened constituency as the Allahabad University interprets it in the manner in which he has done. So I think it is safe to omit these words, and I am glad that the Hon'ble Finance Member has practically accepted the amendment.

Question that the words "which explains that in the year 1928-29 the surplus available for new expenditure will be small unless the Council is disposed to accept proposals for taxation. Subsequently the position will improve with the completion of settlements, from the earnings of the Sarda canal, and from a reduction of debt charges" be omitted from paragraph 19 of the report, put and agreed to.

Question, that paragraph 19 of the report as amended be adopted, put and agreed to.

DEMANDS FOR EXCESS GRANTS, 1925-26.

The Hon'ble Sir Sam O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under the head "Administration of Justice" the sum of Rs. 59,513 be provided and move that this sum be voted.

Mr. C. Y. Chintamani : As this and the remainder of the demands for excess grants all arise out of the report of the Public Accounts Committee, to the postponement of the consideration of which the Government and the Council have agreed, I move that the consideration of these demands be postponed.

The Hon'ble Sir Sam O'Donnell : I have no objection to these excess demands being postponed. They can quite well be taken up at a subsequent date.

The motion that the demands be postponed was put and agreed to.

The Hon'ble the President : In that case the Hon'ble Finance Member need not move the other excess grants.

The Hon'ble Sir Sam O'Donnell : No.

SUPPLEMENTARY ESTIMATES.

GRANT No. 16—JAILS.

The Hon'ble Sir Sam O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under the head "Jails" a sum of Rs. 6,317 be provided and move that this sum be voted.

Rai Bahadur Lala Mathura Prasad Mehrotra : I beg to move "that the demand under Grant No. 16—Jails, regarding charges for reformation of criminal tribes, be reduced by Rs. 6,316."

This particular item, the reduction of which I have moved, refers to the reformation of criminal tribes at the Government settlement of Kalyanpur. A number of persons who were living on the borders of the River Chambal in Rajputana have been arrested by Mr. Young, and while the male members are being prosecuted at Agra the members of their families are to be transferred to the Kalyanpur settlement. I want to know whether this Government settlement at Kalyanpur, where they are to be transferred, is under the charge of the religious reformers of the faith to which these criminals belong. This question was raised several times in the Council and is a very old one. It was only recently, on the 4th of November, that a resolution was accepted by the House that it is proper for the Government to appoint teachers for the reformation of these criminal tribes to the faith which they themselves profess. The Government gave evasive answers to this particular question several times, whenever it was brought before the Council. Their one and the only important argument was that no private association is coming forward to take their charge. Since then matters have improved, and two applications have been received by the Government—one from the Dalit Uddhar Sabha of Delhi and the other from the Arya Samaj, Lucknow—offering their services for this work. The Government cannot now say that private associations are not ready to take their charge. It is now for the Hon'ble Home Member to hand over the tribes to these private associations, and, if they find any difficulty in it, they should, at least, find religious teachers of faith to which criminals belong.

Chaudhri Dharamvir Singh : As has been pointed out the question of criminal tribes is a very important one, and it has been discussed several times in this House. Apart from the fact that there are grounds on which this demand may be opposed, e.g., that there is not sufficient provision for the religious training of the settlers, and that most of them are compelled by force to adopt faiths other than their own, there is one other important consideration. The memorandum states "two male adults, 68 women, and 86 children who were under detention in the Dholpur and Jaipur States are being placed in the settlement at Kalyanpur; and to meet the consequential expenditure a supplementary demand is presented." It seems that the husbands of these women are going to be tried in the court and the women will be kept in the settlement apart from their husbands. It is a very delicate question to put so many women under the charge of the people about whom it can be doubted whether they will take proper care of them or not. As I have said once before in this Council, it is quite easy for the Government or for the Government officials to assume that they are the most suitable guardians of women and children or of weak people. But by the kind of treatment that is meted out to them it is easy to see how difficult becomes the position of these wretched people when they are placed under these official guardians. We have especially to consider the position of women and children who are to be kept apart from their husbands and fathers. As has been pointed out by my friend, Mr. Mehrotra, the best thing to be done in this case is that these people be entrusted to the care of the Arya Samaj or the Dalit Uddhar Sabha, who have applied to the Government to be given charge of the criminal tribes of which these women and children form a part, because it is only these

people, the Arya Samajists, who can take proper care of women and children with due attention to their education, with due attention to their food, and with due attention to their health, and to their moral welfare. Therefore, Sir, I whole-heartedly support the motion of my friend, Mr. Mehrotra, and hope that the Government will find no difficulty in accepting it, because no such principles are involved here as may force the Government to oppose it. It is one of the fundamental principles that these people should be kept in the charge of those who are most tenderly inclined towards them and whose avowed purpose is to reform them and not to molest them. Arya Samaj organizations do effectively reform those whose charge they are called upon to take. With these few words I wholeheartedly support the motion of Mr. Mehrotra.

Thakur Hukam Singh :

श्रीमान् प्रधान मंत्री !

यह प्रस्ताव जो इस समय किया गया है उसका मैं हृदय से समर्थन करता हूँ और इन शब्दों में करता हूँ कि यह बात इस कौन्सिल के सामने बहुत बार आ चुकी है कि आर्य समाज और देश की कई एक ज़िम्मेदार सोसाइटियों की तरफ़ से इस बात को इच्छा उत्पन्न हो गई है कि वह criminal tribes का अच्छी तरह से चार्ज ले सकती हैं और ठीक तरीक़े से उनके शिक्षण और अचार विचार का सुधार कर सकती हैं तो ऐसी अवस्था में इस बात को बार २ इनकार करना और इस बात को बार २ अस्वीकार करना किसी प्रकार उचित न होगा इस लिए मैं बड़े अदब से यह अर्ज करूँगा कि Government को इस दरखास्त को ज़रूर क़बूल कर लेना चाहिए और मिह्रबानी करके यह जो demand है उसे इस तरीक़े पर स्वीकार किया जाय जिससे जो यह दरखास्तें की जा रही हैं पूरी हो जाय और जब कि यह कहा जाता था कि कोई ज़िम्मेदार सोसाइटी इस बात के लिए तैयार नहीं थी तो उस वक़्त यह बात ज़रूर मुनासिब थी। लेकिन अब जबकि ज़िम्मेदार सोसाइटियाँ इस बात के लिए आगे हो गई हैं और उन्होंने दरखास्तें भी Government के पास भेज दी हैं तो कोई वजह बाकी नहीं रह जाती है कि Government मिह्रबानी करके इन criminal tribes को जो हिन्दू धर्म से संबंध रखती हैं हिन्दुओं के हाथों में न देकर उनके धार्मिक सुधार के लिए उनके मौक़ा न दे। इस लिए मैं अधिक समय न लेकर बड़े अदब के साथ यह अर्ज करूँगा कि इस मोशन (motion) को स्वीकार किया जाय।

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The other day when a resolution on this subject was discussed on the floor of this House, in reply I had to explain the position of the Government in relation to criminal tribes. And at that time I think my explanation was regarded by many of my friends—some of them sit even on the opposite benches—as a satisfactory explanation. In fact, a friend of mine—I need not name him—told me that, so far as the conscience was concerned, he was fully satisfied, but the hard and fast rules of his party were responsible for his vote. The position of the Government is exactly the same to-day as it was then. I may repeat what I said then. I stated that applications had been received from two organizations and that they were being asked to start negotiations with the Deputy Inspector-General, Criminal Investigation department, and to put their schemes

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before him and that the Government would be prepared to help them as they had helped the Salvation Army. I understand that the Delhi organization is already negotiating and has put their scheme before the Deputy Inspector-General, Criminal Investigation department. When that scheme has been examined we propose to help that organization according to our terms.

So far as the question of these Chambal Kanjars is concerned we have given an undertaking to the Government of India to keep these people in a settlement and to provide for their living, and according to that undertaking we want to settle them, where? Not in the Salvation Army settlement, but in our own settlement, where there is no question of proselytization. My friend, the Member for Meerut, has again raised the question of conversion. Whenever there is a question of settling criminal tribes the question of conversion is always raised just like King Charles' head. I wish to assure the House that it is a Government settlement and people are not converted to any religion there. Therefore, so far as the religious aspect is concerned, honourable members may rest assured that that question does not arise. I think honourable members should have some confidence in our own settlements, I mean the Government settlements, and that is the reason why I think the honourable members need not oppose this motion and should grant us this amount.

Mr. A. P. Dube: I beg to submit a few observations on what the Hon'ble the Home Member has said just now. Of course, in a Government settlement like this no question of conversion at all arises: I agree. But I want to submit, for the consideration of the Hon'ble the Home Member, that after all when these penal settlements or criminal settlements are analysed they are nothing more or less than so many jails, so many confinements in a particular area. Now the question is—are you serving the best interests of the criminal tribes by confining them and by putting them under so many restrictions? Is it the object that these criminals should be reformed, or is it the object that they should be shut up inside a certain area or, say, inside a certain jail in order to keep them away from making mischief? These are the two objects with which the Government is concerned as regards discipline. My submission is that the Government ought to devote more attention to the reformation of the criminals, especially when it has under its charge so many children whose characters can be moulded. In this connexion I would again say that mere confinement and mere imposition of restrictions upon them do not improve their character. So far as these institutions are run by the Government they are run upon the principle which drives the mind entirely out of the universe. The Government does require certain agencies to be attached to every one of these penal settlements in which something would be done towards reforming the character of these criminals. Now this is not a question of intelligence; you must reach the heart of the criminal. So far as I understand, the virtues that regulate the conduct of an honest citizen are in fact very few.

The Hon'ble the President: Are we discussing the general question, or only a particular question now?

Mr. A. P. Dube: My submission is that they are wanting this expenditure to perpetuate a system, namely, of keeping them confined inside a

certain settlement. I say that this sum ought to be utilized in one of the ways advocated by the honourable member, viz., in moral instruction as well as religious training, and therefore I am emphasizing this point.

The Hon'ble the President : What about these females? Are they to be sent to the Kalyanpur settlement or not, that is the point?

Mr. A. P. Dube : With regard to that I would say "No." I would say that they should not be sent to these settlements because, as I was just submitting, it is not a question of intelligence. Many people know that telling the truth or not committing theft is a virtue; many people know that property belonging to others should not be stolen. Even the criminals, if you ask them, would be able to say that it is wrong to commit a theft, but all the same they do commit thefts. Therefore at bottom it is a question of character, and that character has to be taken in hand if you want to reform a criminal at all and if the genuine intention is the reformation of the criminal. Now the question is: What do you do in these settlements in that respect? If you are not able to do anything, then it is certainly desirable that these criminals should be handed over to such other institutions as profess to try and improve their character by moral instructions. The Hon'ble the Home Member seemed to suggest that he would allow opportunities to members of the Arya Samaj to go and do something to rouse the moral susceptibilities of these criminals. Well, the matter has hung fire for a long time and nothing at all has been done. It would not do for the Government to say that it will wait till the Arya Samajists approach it or press it so that it must comply with their request. It is just as well if the Government does meet them half way or even take the initiative and do something in the matter.

Pandit Bhagwat Narayan Bhargava : Instead of moving my own motion I would support the motion of my friend, Mr. Mehrotra, because there is a difference of only one rupee in both these amendments.

At the outset I must congratulate the Hon'ble the Home Member for the force and fervour with which he has tried to impress upon this House that there is no question of conversion in this case, and that the intentions of the Government are very good and pious in this matter. Even after hearing his speech to-day, and considering his speeches on previous occasions, I am prepared to lay a definite and positive charge against the Government that they have utterly failed to reform these criminal tribes even by keeping them in the Kalyanpur settlement at Cawnpore. Let it be supposed for a moment, though I do not agree with it, that there is no danger of these children or women being converted to any other religion, for we do not know to what religion do the officers or manager or superintendent or anybody else of the Kalyanpur settlement belong; we do not know in what way they can influence their subordinates, I mean the teachers who are employed there, who are kept there under their guidance and under their complete control. However, I hope the Government will accept my challenge and will prove before this House that during the last so many years they have turned out a single man of a criminal tribe from the Kalyanpur settlement after having been completely reformed. Have they sent out any man out of that settlement as being capable of becoming a member of our ordinary society? If they have failed to do that I think they must plead guilty to the charge and be sentenced; otherwise they must adopt strong and positive measures in order to see that these criminals are not kept there as criminals for the whole of their

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life. I think they will admit that it is not written in their *tagdir* or *kismet* that they must remain criminals so long as they are alive on this planet.

I may also, Sir, invite the attention of the Hon'ble the Home Member to the current policy and practice of the Government: they generally send children or women to orphanages and pay certain monthly sums to meet the expenses. I think he will not deny my statement. If it is so, what prevents the Government from making over these women and children to the Dayanand Orphanage, Agra; why should they incur expenditure on travelling? As has been explained in these supplementary estimates the total comes to Rs. 957. Why should they waste even a single pie unnecessarily from the public purse? If the Government is prepared, according to the existing rules, to pay certain monthly contributions, to that orphanage to which I have just referred, I think the orphanage will readily agree to accommodate all these women and children. The question is not only about the conversion of these women and children; their minds can easily be influenced, as has clearly been the case in these provinces outside the Kalyanpur settlement. So, Sir, if the Government has got the heart to settle this question according to the wishes of this House I think it is up to them to send these women and children to that orphanage and to pay the contribution as sanctioned by the Government rules.

But if the Government has got a different meaning for the word reform, if reform at all exists in the Government dictionary, I would advise them to give it the same meaning which we ordinarily give to it, and see that not only their religion, but their character is protected, and that they are turned out from the settlements after a period as reformed and completely capable of mixing with ordinary society.

Rai Bahadur Thakur Hanuman Singh: The question of the reformation of the criminal tribes has been brought before this Council repeatedly. But the Government has always been reluctant to give a satisfactory reply or to take action as the Council desired. The Hon'ble Home Member, in replying to the debate which is going on, referred the House to his reply which he gave on a former occasion. That debate was not concerning the Kalyanpur settlement, but it was concerning the settlements which are being managed by the members of the Salvation Army. In the course of his reply he has been pleased to say that a certain honourable member sitting on this side of the House was fully satisfied with the reply which he gave. But when saying so he forgot to remember that there were 100 elected members, and to mention whether every one of the remaining 99 were also satisfied or not. He has followed the example perhaps of Lord Birkenhead when in his speech he said that one Mr. Goswami while speaking in the Congress committee said that there was no organization in India which could be represented either by a Hindu or by a Muhammadan. The question before this House to-day is whether the Kalyanpur settlement should be managed by the Government, or its management should be made over to a social and religious organization? Now Government should take into consideration whether the settlement

: **The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan:** Is the honourable member in order in saying that the question is whether the settlement should be managed by Government or a religious or social body?

The Hon'ble the President : What has the honourable member been saying ?

Rai Bahadur Thakur Hanuman Singh : I said the purport of the demand was whether this settlement should be managed by Government agency or by some social or religious organization.

The Hon'ble the President : We are not discussing this larger question at present.

Rai Bahadur Thakur Hanuman Singh : Then, Sir, the question which arises is that if these women and children whose guardians are undergoing trial, who are to be kept in the Kalyanpur settlement, will be better looked after if they are made over to some social or religious organization to be taken care of them if they were put into the settlement. I think that the sympathy of the members of a religious organization will be helpful to these unfortunate women and children much more than the control of the officers at the Kalyanpur settlement. The Hon'ble Home Member said that there was no question of conversion. Certainly in the Kalyanpur settlement there is no such question, but the question is whether even here they would be taught religion or not. If they are under the care of the religious organization they will be taught religion and good principles of life. So I think the Government should consider over this question and see its way to make over these unfortunate persons to those who may be willing to take care of them so that they may live a happier life than they would when subjected to the official control in the Kalyanpur settlement.

Thakur Manak Singh : In matters religious this Government has for very good reasons been adopting the attitude of absolute neutrality. I accept that as a sound principle ; but with regard to the question under discussion, we all agree that the object of these settlements is to reform the character of these persons. But the whole question is whether these unfortunate persons ought to be entrusted to the care of a proselytizing body or make over to humanitarian societies who will not proselytize. I think the Hon'ble the Home Member said that, though these bodies were proselytizing bodies, they did not convert these persons, but merely tried to reform them. It may have been that in the past no other agencies were willing to do what these bodies were willing to do for these people and therefore Government had to make these people over to such bodies. But now there are other humanitarian bodies willing to take care of these persons, and Government are not under constraint to make only certain organizations care for these persons.

The Hon'ble the President : But the Honourable the Home Member has said that the Kalyanpur settlement is a Government settlement. Does the honourable member maintain that the Government settlement is a proselytizing settlement ? If not, he is out of court.

Thakur Manak Singh : If the Kalyanpur settlement is a Government settlement, I am out of court ?

Mr. E. Ahmad Shah : The question placed before the House by moving the reduction brings the case of the reformation of criminal tribes once again to the notice of this House. I would like to state before I proceed any further that this one settlement which is being talked about to-day, namely, the Government settlement—is a neutral settlement. Some honourable members who have spoken this morning have got an apprehension in their minds that, even in such a neutral settlement as

[Mr. E. Ahmad Shah.]

Government provides, there will be some danger of the inmates being converted to another faith. I think their apprehension is out of place. Government have provided this neutral settlement as a type to which criminals, who cannot be put in charge of any other settlement belonging to a particular faith, may be sent; and, so long as no other organization has established a settlement, the maintenance of this neutral settlement is indispensable. During the previous Council, in the course of a debate over this very question, Government conceded the possibility of giving an opportunity to other faiths to organize settlements. I understand that so far they have not made use of this opportunity. I may be mistaken. I am open to correction. But if they have not taken the opportunity to organize settlements then the time has come that they should do so, and organize at least one settlement to which these women and children, who are so much talked about, may be sent. But so long as they do not come forward with a definite proposal—I am given to understand that they have come forward with a definite proposal—but so long as they have not established a settlement they should keep quiet at least over this point, viz., the keeping up of the neutral settlement established by Government.

My second point is about the reformation of these tribes. Some speakers have given me to infer that Government do not take the trouble about the reformation of these criminal tribes; that no attention is paid to reform the people or to make them good citizens. I do not agree with the speakers. I do not think that the case is as it is made to appear. But even if it is so, it is all the more necessary for them to open their establishments so that they may place members of their own faith in their own settlement. But so long as they do not come forward with practical schemes and organize their own settlement, and so long as they continue to doubt about Government reforming these tribes, they should send women and children of their faith to the settlements opened by the Salvation Army, whose sole object is to reform them morally. My third point is about the conversion of these people in the settlements. Even after the honourable members have been given hard and fast figures last time to show that the Salvation Army do not keep in view the conversion of people in the settlements some honourable members still think that conversion is going on apace in their settlements. I would like to assure the honourable members of this House that such is not the case. Conversion of people is not the aim of the Salvation Army authorities. The Hon'ble the Home Member was pleased to give us figures showing the number of people who were converted in the course of sixteen years. I should not say they were converted, but that they of their own accord were pleased to embrace the faith of the Salvation Army workers. That number was only 220 out of a total number of 3,400. If conversion was the object in the view of the Salvation Army, I can assure the Council that the number would have been ten times as much. (An honourable member: "That is their view"). It is not. Sir, I would like to state very clearly before the honourable members of this House that the sole aim of the Salvation Army is to reform these criminal tribes and not to convert them to their faith. The Salvation Army is there to do exactly what the honourable members have been asking the Government to do, viz., to reform these criminal tribes and to make them better citizens.

I will close my remarks by saying that if reform is the object in view, so long as no other organization belonging to other faiths has come forward

to undertake this work of reformation, please be good enough to send the criminal tribes to the Salvation Army settlements so that they may be reformed; and, if conversions are feared in the Salvation Army settlements, though such fears are unfounded, but if they are, please be sensible enough to maintain the only neutral settlement provided for by the Government.

Chandhri Vijai Pal Singh: Is the honourable member in order?

The Hon'ble the President: The honourable member has already finished.

Pandit Rahas Bihari Tewari:

श्रीमान सभापति महोदय !

माननीय होम मेम्बर साहब ने यह कहा है कि दो applications एक दलितोद्धार समाज की ओर से और दूसरी आर्य समाज की ओर से आई हुई हैं। उनके विषय में अभी लखनऊ युनिवर्सिटी के प्रोफेसर मेरे मित्र मि० ग्रहमद शाह ने कहा है कि जब तक हिन्दू सोसाइटियां अपना organization न कायम कर लें तब तक उनके Government Settlement हो में भेजना चाहिये। लेकिन जिस तरह से आर्य समाज से Settlement की बात चीत Government से हो रही है यदि वह उसी प्रकार चलती रही तो मेरा खयाल है कि आठ दस वर्ष में भी यह प्रश्न हल नहीं हो सका है। मैंने पिछली कौंसिल में इसके बारे में भली भांति बता दिया था और प्रार्थना की थी कि Salvation Army Settlements आर्य समाज को दे दिए जावें।

एक प्रार्थना पत्र Government की सेवा में आर्य प्रतिनिधि सभा संयुक्त प्राप्त की और से मैंने भेजा था परन्तु Government ने जो उत्तर दिया उससे यह प्रतीत होता है कि Government Salvation Army Settlements आर्य समाज को देने के लिए तैयार नहीं है यदि आर्य समाज अपने नये Settlement खोलना चाहे तो वह खोल सकता है। आर्य समाज ने दूसरा प्रार्थना पत्र Government के पास भेजा है उस पर Government पूछती है कि किन २ शर्तों के साथ आर्य समाज उन्हें लेना चाहता है। और जरायम पेशा के लोगों को रखने के लिए और आसपास के गावों को उनसे बचाने के लिए कौन से प्रबन्ध उनके हाथों में हैं। मैंने होम मेम्बर साहब से प्रार्थना की थी कि Salvation Army Settlements देखने के लिए हमें आज्ञा दी जाय लेकिन अब तक करोड़ छः महीने के हो गए कोई उत्तर Government की ओर से हमारे पास नहीं आया है यद्यपि इन्स्पेक्टर जनरल पुलिस साहब ने मार्च के महीने की अपनी speech में कहा था कि वह उनको देखने के लिए हमें हर प्रकार की सुविधाएं देंगे। इस पर भी हमको हमारे पत्र का उत्तर नहीं दिया जाता है कि जिसमें हम लोग इन सेटलमेंटों को देख सकें और अब यह कहा जाता है कि जब तक तुम अपने नए Settlements कायम न कर लोगे तब तक इस प्रश्न पर कोई विचार नहीं किया जायगा। यदि इसी प्रकार बात चीत होती रही तो दस वर्ष में भी यह प्रश्न हल नहीं हो सकता है।

हम कहते हैं कि जिन शर्तों के साथ Government ने यह Settlements Salvation Army को दिए हैं आर्य समाज भी उन्हीं शर्तों पर उन्हें लेने को तैयार

[Pandit Rahas Bibari Tiwari.]

है। जब हम Government से कोई स्कूल recognize कराना चाहते हैं और उसके लिए Director साहब से प्रार्थना करते हैं तो वह कहते हैं कि इतना खर्चा इकट्ठा करके बैंक में जमा कर दो इतना furniture इकट्ठा कर लो तब तुम्हारा स्कूल recognize हो जायगा। Director साहब यह नहीं पूछते कि तुम किन शर्तों पर स्कूल खोलना चाहते हो। Government हम से ठीक यही कह रही है कि तुम किन शर्तों के साथ Settlements को लेना चाहते हो।

जब हम उनसे प्रार्थना करते हैं कि Settlements देखने के लिये वह हमें आशा दें तो कोई उत्तर नहीं मिलता है। जब इतनी courtesy भी नहीं दिखाई जाती है कि इन Settlements को देखने की आशा दी जाय तो आप हमको बतावें कि हम इस अवस्था में किस और मार्ग का प्रवलम्बन करें। होम मेम्बर साहब ने अपने speech में कहा है कि हिन्दुओं के organization की बात वह बड़े ध्यान पूर्वक सुनने के लिए तैयार हैं। मैं ने होम मेम्बर साहब से प्रार्थना की थी कि वह किन शर्तों के साथ उन Settlements को हमें देना चाहते हैं। इस पर उन्होंने हमें Inspector-General साहब से मिला देने और उनसे इस सम्बन्ध में बात चीत करा देने को कहा था। मैं यह कहता हूँ कि यह बातें एक दो मिनट में तय हो सकती हैं। Salvation Army को जिन शर्तों के साथ Settlements दिये गये हैं उन्हीं शर्तों के साथ आर्य समाज उनको लेना चाहता है। दो मिनट में यह सारी बातें तय हो सकती हैं। Government बातों में बहुत कुछ जवाब देती है। परन्तु कार्यान्वयन में कुछ भी नहीं करना चाहती। बार २ Supplementary Estimates और Budget में यही प्रश्न उपस्थित होता रहता है जिससे कुछ लाभ नहीं होता।

अब Government के लिए यह उचित है कि Inspector-General से कह दे कि वह उन शर्तों और terms को plainly dictate करा दे कि जिनके साथ वह Settlements को आर्य समाज को देने के लिए तैयार हैं। ताकि कौंसिल के सामने यह बात बार २ न आए। और यह सन्देह कि Government किसी प्रकार से इन्हें हिन्दुओं को देने के लिए तैयार नहीं है दूर हो जावे। होम मेम्बर साहब कृपा करके Inspector-General से कह दें कि वह कोई समय नियत करें ताकि हम उनसे इस विषय में बात चीत कर सकें। जिन शर्तों के साथ Government ने इन्हें Salvation Army को दिया है आर्य समाज भी उन्हीं शर्तों पर उन्हें लेने के लिए तैयार है।

Supplement Budget में जो खर्चा मांगा जा रहा है। उसके विषय में यह प्रार्थना करूंगा कि जो ८६ बच्चे और कुछ औरतें कल्याणपुर भेजे जा रहे हैं। उनको आगरा दयानन्द प्रभाषालय में दे दिया जाय जैसा कि मेरे मित्र पं० मणवत नारायण भार्गव ने कहा है। ताकि पब्लिक का खर्चा व्यर्थ में नष्ट न हो। दूसरी बात यह है कि आर्य समाज को application जो इन Settlements को लेने के लिए Government के पास है उसे प्रसवीकार न करे। अतएव मैं पुनः

Government और कौंसिल का ध्यान इस घोर चाकर्षित करता हूँ। और होम मेम्बर साहब से प्रार्थना करता हूँ कि वह इस मामले को जितना शीघ्र हो सके तै कर दें नहीं तो हर एक कौंसिल में यहो बातें चार्येंगे और जनता का जो ख्याल है कि Government इस मामले को टालना चाहतो है वह भी पक्का हो जावेगा।

The Council here adjourned for lunch. After the recess, the Deputy President took the chair.

Mr. B. J. S. Dodd : I shall attempt very briefly to bring the trend of the debate back to the hard facts of the issue before the House. It is not a question of the Salvation Army or of any other religious body. It is a question of the cheapest and the most suitable method of dealing with these men, women, and children of the criminal tribe of Kanjars whom we have unfortunately on our hands. It must be understood that when Mr. Young started his campaign against these Kanjars I made it quite clear to Government that it would be useless to undertake the campaign unless they were prepared to take the whole tribe into a settlement after the arrest of the members thereof, who were engaged in dacoity. To this the local Government agreed after a reference to the Government of India. We were then faced with the possibility of having to start an entirely new settlement, which would, of course, have been a very expensive charge on the Government revenues. I think the estimate worked out at over half-a-lakh of rupees. All we are asking for to-day is the very small sum of Rs. 6,000. This is made possible because we have, for various causes, accommodation for the tribe in the Kalyanpur settlement. It is obvious that the cheapest and the most suitable method of dealing with these people must appeal to the Council, considering the position of the Government's finances, and I do not think it is necessary for me to say anything more about the cheapness of the proposal beyond that we have in the Kalyanpur settlement the buildings for housing these people and other facilities for training them in industries. The only addition we have made in the way of establishment is a teacher on Rs. 25 per mensem. The Kalyanpur settlement, I need hardly repeat, has nothing to do with the Salvation Army. But we do endeavour, through the teacher appointed, to educate the children of the various tribes located there. The subsistence allowance is very low. It actually works out at the rate of Rs. 10 for a man, Rs. 5 for a woman and Rs. 2 for a child, and I doubt if there is any institution which would be prepared to maintain and educate these women and children at these rates. Even if there is, it is not a question only of dealing with "temporary" widows and orphans; but it is a question of dealing with a criminal tribe whose men will, after a short time, return from the jail, and if placed in a settlement under proper control will take to peaceful work. I think it would be a very ungracious act if the Council withholds this sum, for I know Mr. Young has himself borne out of his own pocket the subsistence allowance for these women and children to the tune of over a thousand rupees. I have one word to say about the proposal for starting settlements by other religious bodies. The Arya Samaj has come forward, and negotiations are going on and are progressing. I am told that attempts are already being made to procure land for one of these settlements. Therefore it must be perfectly clear to the honourable members of this House that Government's intentions are honest in respect to their proposals. I

[Mr. R. J. S. Dodd.]

trust that I have explained the position. It is as yet impossible for any other body or any other institution to undertake the work of reclaiming the criminal tribe. The cheapest, most suitable and desirable solution is to place them in the empty places which exist in the Kalyanpur settlement, and in view of what I have said with regard to the intentions of Government and in view of the fact that Mr. Young's pocket is affected, it would be a gracious act on the part of the honourable mover to withdraw his motion for reduction.

Mr. C. Y. Chintamani: I had not the advantage of hearing the speech of the Hon'ble Home Member, but I am glad that I have heard every word that has been said by the Inspector-General of Police in support of this demand. The Inspector-General has described the arrangement that has been made by the Government, as being the cheapest and most suitable. In the latter part of his speech he supplemented these two superlatives by another superlative "most desirable." I am not in a position to question the correctness of his statement that this is the cheapest method. It may be, but not on the ground of the figures which he has given that a new settlement would have cost over half of a lakh of rupees, whereas now they are asking the Council only for Rs. 6,317. I do say not on this ground, because the Rs. 6,317 is only for the present financial year, whereas I do not think over half-a-lakh of rupees would have been the sum the Government would have had to spend during the present financial year if any other arrangement had been made. If I have misunderstood the Inspector-General of Police, I shall stand corrected if he has anything to say in explanation. (The Inspector-General having said nothing, the speaker proceeded.) Very well, Sir. So that the difference between the cost of the arrangement that the Government advocate and another arrangement which the non-official members may prefer is, in financial terms, not precisely the difference between Rs. 6,317 and over half-a-lakh. It would be much less.

The Inspector-General of Police has said that it would be ungracious on the part of the Council to decline to vote this demand. He repeated this twice. On what ground would the Council be guilty of ungraciousness if it did not agree with the Government's proposal? One ground put forward by the Inspector-General was that Mr. Young had already spent over Rs. 1,000 from his own pocket in paying subsistence allowance to these men and women. I find from the details of this supplementary demand that the amount provided for subsistence allowance for settlers is Rs. 2,660. I give my word to the Inspector-General of Police and through him to the Government that I will most cheerfully vote for this demand of Rs. 2,660 on account of subsistence allowance. I am certain the Council does not want any officer of the Government to be out of pocket in incurring expenditure on account of items which it is the duty of the tax-payer to provide, and I am sure I will have the entire Council with me when I say that that particular item of this demand "subsistence allowance" we shall cheerfully vote.

Our opposition to the Government's proposal is due to other circumstances. It has been pointed out that the Kalyanpur settlement is not under the control of the Salvation Army. That is true. It is conducted by the Government themselves. But are not the Government aware, does not the Inspector-General know, that on the floor of this House

criticisms and complaints have been uttered more than once expressing great dissatisfaction at the management of the Kalyanpur settlement by the Government themselves and the Government said that they were going to appoint an advisory committee in connexion with the management of that settlement. I believe that that committee has already been appointed; but may I inquire why, in selecting the personnel of that committee, they have left out such a person, for example, as Mr. Ganesh Shankar Vidyarthi, the member representing Cawnpore city in the Legislative Council? The Government knew, though it was not always to their convenience that it should have been so, that Mr. Vidyarthi was one of those members of the Council who evinced an informed and a keen interest in the management of the criminal tribes settlements. The Kalyanpur settlement is in the neighbourhood of the city of Cawnpore. Mr. Vidyarthi, the member who has shown how much interest he takes in the matter, how much knowledge he has of the subject, represents Cawnpore and lives at Cawnpore. Is he a member of the committee? The Government have said that their intentions are honest with regard, I suppose, to the handing over of certain of the criminal tribes to organizations like the Arya Samaj. The Government's intentions ought always to be honest in this matter, as in others, I was once advised by a high officer of the Government when he appealed to my conscience with regard to certain opinions which I uttered. Now, Sir, I may have the temerity to appeal to the conscience of the Government to say whether their intentions are or are not always honest. At all events for purposes of this discussion, let us assume that the Inspector-General's plea in behalf of the Government is justified and that their intentions are honest. But, Sir, in this hard world of ours, honest intentions do not alone avail. There are many of us on this side of the House and many like ourselves outside this House, who are moved, I can assure the Government, by the honestest of intentions in many a criticism that we utter, in all our acts, in all our methods. But many of us have been clapped into jail, many of us are ignored, many of us are disregarded notwithstanding the superlative honesty of intentions, because of differences of opinion. There is a fundamental difference of opinion between the Government and ourselves on this as on other subjects. Last March the Hon'ble the Home Member said "let some non-official Indian organization apply to us for the charge of some of the criminal tribes, we shall consider the application on the merits." We pointed out to them that when the Salvation Army was selected as the organization which was to be placed in charge of these tribes, there was no application whatsoever from the Salvation Army. The Government sought the Salvation Army, requested them to take charge and accorded to them the requisite facilities for the management of these tribes. Then the Hon'ble the Home Member turned round and said:—"We are not responsible for whatever Sir John Hewett may have done." That is true. At the same time, if what Sir John Hewett did was an act of liberality, although the organization with reference to whom that act of liberality was done, happened to be the Salvation Army and not an indigenous organization, will the Indian Home Member say:—"I am not responsible for what Sir John Hewett did; but I am not going to follow the example in dealing with the Indian organizations?" There are two organizations which have made formal applications to the Government; there is a third organization in respect of which a statement was made by those responsible that it was also prepared to do this work

[Mr. C. Y. Chintamani.]

if the Government agreed and if the Government gave them facilities. I would inquire from the Hon'ble the Home Member what active steps, what constructive steps he has taken between the month of March and the month of December in order to give effect to the wishes of this Council that criminal tribes should be placed in charge of indigenous organizations? If the matter has not progressed beyond the stage of academic correspondence, then I would say that the honesty of his intentions is no consolation for the absence of anything tangible to prove that honesty. The Government have not shown an attitude of responsiveness to the repeated and emphatic view of the Council that indigenous organizations should be utilized and should be assisted to take charge of these criminal tribes. With regard to the management of the Kalyanpur settlement itself, the Government have not done enough to put its management on a footing which would give satisfaction to Indian opinion. If the subsistence allowance of Rs. 2,660 for the men and women affected is voted by the Council, Mr. Young would be freed of financial responsibility, there would be no ungraciousness even on the showing of the Inspector-General of Police and we would stand acquitted of that charge.

As regards what method is the most suitable and the most desirable, I join issue with the Inspector-General. It is not the most suitable method, much less is it the most desirable method of disposing of these criminal tribes, to keep them in settlements which are not in charge of the members of the communities to which the tribes belong, which are not in charge of organizations professing the same religious faith which is professed by the members of these tribes. It may be the cheapest. That has to be proved. The figures furnished by the Inspector-General of Police do not establish that contention. It is not the most suitable method; it is not the most desirable method and the Government have not shown that they are ready to take action as desired by the Council. For these reasons I must withhold my support from this proposal of the Government.

Rai Bahadur Lala Mathura Prasad Mehrotra : After the speech that my friend the leader of the nationalist party has made in reply to the remarks of the Inspector-General it is futile for me to say anything more on this question.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am obliged by the speech of my friend Rai Bahadur Thakur Hanuman Singh, who made the position very clear when he said that as far as the question of conversion is concerned this settlement has got nothing to do with it. This coming from my friend sitting over there must have certainly cleared the atmosphere as far as the Hindu members are concerned, and they can judge the thing on its merits without taking into consideration the religious side of it. My friend, the member for P'artabgarh, in his forceful and eloquent speech has raised certain questions and I should like to meet them. First of all he said that the arrangement of the Kalyanpur settlement was not good, therefore Government gave an undertaking to appoint an Advisory Board. What has been done? My reply is that this undertaking was given and fulfilled. We appointed an Advisory Board of five members: according to the rules it is given there that the Advisory Board will be constituted of five members. That was the reason why we did not appoint more than five members. These five members are the honourable member for Cawnpore Mr. Shyam Lal, Rai Bahadur Baba Vikramajit Singh, Khan Bahadur Hafiz Hidayat Husain, Haji Abdul

Quiyum and Mr. Srivastava. I think honourable members will be fully satisfied that it is a very good selection. I am sorry that the name of Mr. Vidyarthi could not be included, but all the same the personnel of the Advisory Board is such that nobody can take exception to it.

Mr. C. Y. Chintamani : Was that omission deliberate.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No, it was not.

The other point that has been raised by my friend is about the starting of a new settlement. There cannot be the slightest doubt that if we start a new settlement it must be more costly than putting the people into the existing settlement. There cannot be the slightest doubt about it. I am fully prepared (it is rather a strong word to use) to challenge my friend over there that as far as economy is concerned it is much cheaper to put new men in the existing settlement than starting a new settlement. The moment we start a new settlement we shall have to undertake a non-recurring expenditure, we will have to acquire land, erect new buildings, and that is the reason why the Inspector-General said that this is the cheapest way of doing it.

The other point that was raised by my friend was " why don't you give them over to the social organizations "? As I said in my speech when the question about the Salvation Army was discussed on the floor of this House, and as I mentioned earlier in this debate, the Government has given an undertaking on this point. The Inspector-General has explained that we are not only negotiating but preparations are being made to acquire land in certain places for a settlement. I do not see why my honourable friend should doubt the sincerity of the Government when the Inspector-General has said that such preparations are being made. Now the question is whether these criminals should be put in a well-organized settlement of Government, or you wish to hand them over to an untried body, and that body is not prepared yet. They have simply presented us with their schemes and preparations are being made for a settlement. Now that is a question which should be decided on its merits, whether it is right that these formidable criminals, who were a terror to two Native States and the bordering districts of the British territory, should be kept in a Government settlement or should be handed over to a social organization who are not yet ready with their schemes. I think it is useless to give it a religious colouring, because as I said the question of conversion does not arise. I do not think there was any other point that was raised. I, therefore, hope that either the honourable member will withdraw his motion or the Council will support me and let me have this money.

The motion was put and the House divided as below :—

Ayes, 25 ; Noes, 48.

Ayes.

Badan Singh, Chaudhri.
Badri Dutt Pande, Pandit.
Bhagwat Narayan Bhargava, Pandit.
Ohhail Bihari Capoor, Babu.
Chintamani, Mr. C. Y.
Devata Prasad, Pandit.
Dharamvir Singh, Chaudhri.
Dube, Mr A. P.
Gulab Singh, Thakur.
Gurta Iqbal Narayan, Pandit.
Hanuman Singh, Rai Bahadur Thakur.
Hukum Singh, Thakur.
Jagannath Bakhsh Singh, Raja.

Kavendra Narayan Singh, Babu.
Krishna Pal Singh, Rao.
Mangat Singh, Chaudhri.
Mathura Prasad Mehrotra, Rai Bahadur
Lala.
Mulchand Dube, Pandit.
Nemi Saran, Lala.
Rahas Bihari Tiwari, Pandit.
Sadayatan Pande, Pandit Shri.
Sadbho Singh, Thakur.
Shiva Shankar Singh, Thakur.
Vijai Pal Singh, Chaudhri.
Zahur-ud-din, Maulvi.

Noes, 43.

Abdul Qayum, Haji.
 Abdus Sami Khan, Lieut., Khan Bahadur
 Nawabzada.
 Abhainandan Prasad, Rai Bahadur Babu.
 Ahmad Sa'id Khan, The Hon'ble Lieut.
 Nawab Muhammad.
 Ahmad Shah, Mr. E.
 Baird, Colonel R. F.
 Bisheshwar Dayal Seth, Kunwar.
 Blunt, Mr. E. A. H.
 Channer, Mr. F. F. R.
 Clarke, Mr. G.
 Darwin, Mr. J. H.
 Dodd, Mr. R. J. S.
 Elliott, Sir Ivo.
 Habib-ullah, Shaikh Muhammad.
 Habib-ullah, Maulvi Saiyid.
 Hidayat Hussain, Khan Bahadur Hafiz.
 Jafar Hussain, Khan Bahadur Saiyid.
 Jagdish Prasad, Kunwar.
 Khalil Ahmad Shah, Khwaja.
 Kushal Pal Singh, Raja.
 Lane, Mr. H. A.

Liaqat Ali Khan, Nawabzada Muhammad.
 Mackenzie, Mr. A. H.
 McNair, Mr. A. W.
 Mohan Lal, Rai Bahadur Babu.
 Muhammad Habib, Mr.
 Muhammad Sajjad Ali Khan, Mirza.
 Muhammad Yusuf, The Hon'ble Nawab.
 Norton, Mr. E. L.
 Obaid-ur-Rahman Khan, Maulvi Muham-
 mad.
 O'Donnell, The Hon'ble Sir Sam.
 Panna Lal, Mr.
 Pim, Mr. A. W.
 Rajendra Singh, The Hon'ble Thakur.
 Rajeshwar Bali, The Hon'ble Rai.
 Rama Charana, Babu.
 Sardar Singh, Rao Sahib Kunwar.
 Souter, Mr. E. M.
 Surendra Pratap Sahi, Kunwar.
 Tufail Ahmad, Saiyid.
 Wajid Hussain, Khan Bahadur Chaudhri.
 Yorke, Mr. R. L.
 Zia-ul-Haq, Khan Bahadur Shaikh.

The original demand for Rs. 6,317 was put and voted.

Chaudhri Badan Singh: A notice of a motion for adjournment of the House was handed in to the Hon'ble the President in connexion with the execution of the Kakori prisoners. I want to know what has become of it.

The Deputy President: This is not the time to ask about that matter. You should have inquired from the Hon'ble the President when he was in the Chair or you may do so when he returns to it.

GRANT NO. 17.—EXPENDITURE ON PUBLIC WORKS CHARGED
 TO REVENUE.

The Hon'ble Sir Sam O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that under the head "Expenditure on Public Works charged to revenue ('Transferred')" a sum of Rs. 20,000 be provided and move that this sum be voted.

Pandit Bhagwat Narayan Bhargava: I move that under Grant No. 17, sub-head D—Buildings (1) General Administration, the provision of Rs. 20,000 be reduced by Rs. 10,000. I do not move this reduction with the intention of questioning the necessity for the construction of the building, but my reason for moving this reduction is that, even if the work is commenced in January next, it is not likely that Rs. 20,000 will be spent within two months. One of my friends was telling me that this amount could be spent within three months but the payment for the work done within three months cannot be within this year. Work done up to the end of February could be paid for out of the provision made for this year, while the work done during the month of March could be paid for only in April, i.e., out of the budget for the next financial year and not out of the budget for the current year. That is my reason for moving this reduction. Government has already admitted and it is also clear from the report of the Public Accounts Committee that on account of the inexperience of certain officers unnecessary supplementary estimates have been brought forward before this Council and that the amount could not be spent. I

therefore propose that the demand may be reduced by Rs. 10,000. I mean to say that Rs. 10,000 will be quite sufficient for work to be done during the months of January and February.

The Hon'ble Sir Sam O'Donnell : The honourable member proposes a reduction of Rs. 10,000, because he thinks we cannot spend Rs. 20,000 within the remainder of the financial year. I have ascertained from the Chief Engineer that the whole amount can be spent. The work is very urgent, as honourable members can see from the memorandum. The condition of the building is dangerous and therefore the work will be pushed on and there is every reason to believe that Rs. 20,000 will be spent within the current year.

Pandit Bhagwat Narayan Bhargava : I withdraw the motion.

The motion was, by leave of the Council, withdrawn.

The original demand, for Rs. 20,000 was put and voted.

GRANT NO. 24—PUBLIC HEALTH.

The Hon'ble Sir Sam O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under the head "Public Health (Transferred)" a sum of Rs. 15,846 be provided and to move that this sum be voted.

Pandit Badri Dutt Pande : I beg to move that a token cut of Rs. 17 be made in the entire demand under grant No. 24—Public Health for Rs. 15,846.

My object in moving this cut is to elicit information on certain points. It appears that a grant of Rs. 20,000 was made by the Government of India during the year 1926-27 to this Government. This grant was made by the Governing Body of the Indian Research Fund Association. We know nothing of this body; we think it is connected with the Government of India. We want to know what this body is, what is its constitution, what are its functions and who finances it. It appears that this fund is a sort of a nucleus fund for provincial research work. We would like to know what research work is being done in our province. Has any research institute been established? What apparatus and scientific instruments have been ordered? Have some medical and scientific experts been appointed? Public Health is a very important question, particularly for India. We think very little is being done in this direction. This year again Rs. 50,000 have been given by the Association and we want to know the amount of the provincial contribution to this fund. Plague and cholera are raging in certain districts where there are no doctors and the necessary apparatus is wanting in many places. I have personal experience of Haldwani and Kashipur; one solitary doctor has been sent there; he has no apparatus to test water, germs and other things. Whenever a case comes to the hospital, they do not know whether it is bubonic plague or pneumonic plague; they have to send the blood to other places for examination. We want to know what is being done under this sub-head and how is this money being utilized. This is the information that I want to have and I hope it will be forthcoming.

The Hon'ble Rai Rajeshwar Bali : We had received this money last year from the Imperial Research Fund Association and we have received a further sum of Rs. 50,000 this year. We have appointed some doctors

[The Hon'ble Rai Rajeshwar Bali.]

to carry on research work on cholera and plague in the Medical College. They are doing that research work, but what exactly they have been able to achieve during this period I am afraid as a layman I cannot say. Let us hope that their research may result in discovering something useful in connexion with these diseases.

Pandit Badri Dutt Pande : I have nothing more to say.

The Deputy President : Does the honourable member wish to withdraw his motion ?

Pandit Badri Dutt Pande : Yes.

The motion was, by leave of the House, withdrawn.

The demand, as framed, was put and voted.

GRANT NO. 28—MISCELLANEOUS CHARGES.

The Hon'ble Sir Sam O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under the head "Miscellaneous Charges (Transferred)" a sum of Rs. 6,700 be provided and to move that this sum be voted.

Pandit Badri Dutt Pande : I beg to move a token reduction of Rs. 10 under the entire demand No. 28 for Rs. 6,700.

In moving this token reduction I may say that we would all welcome this committee of which the president is the Hon'ble Raja Sir Rampal Singh. We all have great confidence in this august person but we do not know who are the members, from which part of the country will they be selected, whether some mahants, laymen, experts or religious persons will be included or not. I have not much experience of other parts of this province, but in my own division of Kumaun there are lots of temples. There are the big temples of Badrinath, Kedarnath, Bageshwar, Jageshwar, etc., etc., which have lots of property donated to them. We want to know the terms of reference of this committee and whether it will tour about the country. In my part of the province there was a custom among the Kaitiyuri Rajas that they would not take their food before they built a temple or a dharamshala or anything religious. Much land has been dedicated to the temples, so there are many temples in Kumaon.

There is one point more. The mahants or pujaris are made owners of the dedicated land; they are selling it right and left. They ought not to have been made owners, but only *khaikars*. The temples themselves are in a dilapidated condition and a lot of land which would have been of great public service is being wasted away. Does Government intend to inquire into this affair also? I want to know whether Kumaun will also be represented on that committee, for instance, by Pandit Tara Datt Gairola, by Mr. G. P. Pant, or our own Deputy President or some other suitable member. These dedicated lands were meant for the poor people, for orphans and for widows. Now *mahants* and *pujaris* are devouring them. I hope the Hon'ble Minister would take us into his confidence and let us know the names of the gentlemen who will form this committee. This is the information that I want under this sub-head.

The Hon'ble Rai Rajeshwar Bali : I am afraid I cannot give the names of the members of the committee today. Though we have prepared a list of the proposed members, some of the names are still under-

consideration. So I am not in a position to make an announcement of the personnel of the committee today. I hope that very soon the names will be announced in the gazette.

As to the purpose of the committee, it will be asked to advise the Government what steps, if any, should be taken to provide for the better governance and administration and supervision of the public religious and charitable endowments, institutions and funds of the Hindu community including dharamshalas, dharmadayas and other institutions of the like nature all over the province. I am sure the committee would look into the question of the management of big temples of Badrinath Kedarnath and others which are situated in the division of Kumaun and which have just been mentioned by the honourable mover of this motion.

Pandit Badri Dutt Pande: The point which I raised was—will it be one of the terms of reference that pujaris should not be made owners of the temples? If the Hon'ble Minister says that this will be one of the terms of reference—it is a legal question, but at the same time it is a very great question—I will be satisfied and not press the motion.

The Hon'ble Rai Rajeshwar Bali: I have already expressed in general terms the questions which will be dealt with by the committee. I believe that the terms of reference, whose general lines I have indicated, are very comprehensive. It would be for the committee to include or not within their inquiry the question of the manner in which the pujaris are managing their temples. It will be for them to interpret the terms of reference we shall give them. I think the proposed terms of reference include a number of questions which are at present agitating the public mind in regard to the management of these temples.

Pandit Badri Dutt Pande: Will a copy of the debate today in Council be sent to the committee so that they may know what is in my mind?

The Hon'ble Rai Rajeshwar Bali: I believe the committee will probably invite opinions and ask people to give evidence in which case the honourable member can bring his ideas to the notice of the committee.

The motion was, by leave of the Council, withdrawn.

The demand, as framed, was put and voted.

The Deputy President then adjourned the Council to Monday, December 19, 1927.

APPENDIX A.

(See page 2 *supra*.)

*Statement referred to in the answer to starred question No. 1
for December 17, 1927.*

Name of the board.	Result of vote of non-confidence.
Bisalpur municipal board	The Chairman resigned.
Nawabganj (Bara Banki) municipal board..	Ditto.
Khurja municipal board	Ditto.
Almora municipal board	Ditto.
Tilhar municipal board	The Chairman had already submitted his resignation when the vote was passed.

APPENDIX B.

(See page 6 *supra*.)

Statement showing the mileage and condition of extra-municipal limit metalled roads in districts and their cost of maintenance, etc.

Name of the district.	Mileage of extra-municipal limit metalled roads in the districts maintained and repaired by—				Average cost per mile of maintenance and repair during 1922-23 to 1926-27 spent by—			Condition of roads maintained by—		Remarks.
	Government.		District board.	District board.	Government.		District board.	Government.	District board.	
	Provincial and metalled roads.	Local roads maintained before October 1, 1924.			Of roads metalled in column 2.	Of roads metalled before October 1, 1924.				
1	2	3	4	5	6	7	8	9	10	
Dehra Dun..	56-750 7-000	21-750	..	Rs. 2,561	Rs. 586	..	Fair. A few bad miles on Dehra-Dhahi road.	..		
Saharanpur ..	99-250 6-000	31-500	..	1,170	962	..	Fair, except for portions of the Chakrata road which are bad.	..		
Muzaffarnagar	43-625 4-375	43-375	..	1,283	994	..	About 11 miles bad, the rest fair.			

N. B.—1. Columns 3 and 6 have been added as all local roads were managed by Government up to September 30, 1924. On October 1, 1924, they were transferred to district boards.

2. Though the length of provincial and metalled roads given in column 2 is that of length extra-municipalities, the average cost in column 5 is based on the lengths of provincial and metalled roads within and without municipalities, it being impossible to give the average cost per mile for length extra-municipalities only as accounts are not kept separately. The figures in italics in column 2 give lengths of provincial roads within municipalities.

3. The average cost in column 5 includes all expenditure on maintenance plus special repairs and monsoon damages.

Mainpuri	96.125 4.875	101.500	100		308	418	Fair	60 miles fair and 40 bad.	
Etah	47.500 1.260	122.000	133-0-93		342	383.6	Fair	Fair.	
Bareilly	96.500 6.500	32.875	32 miles 7 furlongs 132 feet.		730	541	Good	Do.	
Bijnor	5.375 1.000	64.000	62 miles 4 furlongs.		464	1,001	Fair	In 1922-23 in this district the roads were half satisfactory and half unsatisfac- tory and since then some im- provement has been made. Very fair.	
Budaun	33.250 1.875	110.625	102 miles 3 furlongs.	*1,010	417	388	Good		* Same reasons as for the Agra division above.
Moradabad	51.000 8.125	79.875	102 miles 5 furlongs.		738	1,125	Fair to poor	Fair leaving out a few miles.	
Shahjahanpur	79.750 3.875	68.00	167 miles 5 furlongs 114 feet.		393	481	Good	Except the Shah- jahanpur and Mohunda road and the Shah- jahanpur and Sahabad road the rest are in fair condition. From 1922 to 1925 the con- dition of the roads were not good and since then their con- ditions are good.	+ Including intra-municipal road.
Pilibhit	Nil	31.375	31.4		842	506		Satisfactory.	
Farrukhabad	108.750 2.250	69.000	75 miles..		395	673	Fair	Fair, except one road which is bad	
Etawah	90.250 4.875	69.750	83 miles 2 furlongs 382 feet.		659	592	Poor to bad but being improved.		

Statement showing the mileage and condition of extra-municipal limit metalled roads in districts and their cost of maintenance, &c.—(continued).

Name of the district.	Mileage of extra-municipal limit metalled roads in the districts maintained and repaired by—				Average cost per mile of maintenance and repair during 1922-23 to 1926-27 spent by—			Condition of roads maintained by—		Remarks.
	Government.		District board.	District board.	Government.		District board.	Government.	District board.	
	Provincial and metalled roads.	Local roads maintained before Octo-ber 1, 1924			Of roads maintained in column 2.	Of roads maintained in column 3, i.e., before Octo-ber 1, 1924				
Cawnpore ..	148-375 14-125	45-625	43 miles 2 furlongs 20 feet.	Rs 1,436	Rs. 548	623	Bad, but being improved gradually.	More than half the roads are in satisfactory condition and the rest are in bad condition.		
Fatehpur ..	70-500 2-313	119-875	116 miles 7 furlongs 0 feet.	484	232	333	Fair	Average.		
Allahabad ..	111-875 17-063	94-000	98 miles ..	715	377	418-6	Bad round Allahabad, rest fair.	Unsatisfactory.		
Jhansi ..	135-750 11-500	186-375	194	318	154	172	Good	Fair.		
Jalaun ..	55-625 3-625	88-750	58	455	2-2	190	Do.	Not good.		
Hamirpur ..	66-625 Nil	88-250	83	475	447	230	Fair	Not satisfactory.		

Banda	42° 37' 50" 2° 25'	138° 50'	135	423	211	190	Bad, between Banda and the Fatehpur district, rest fair. Mostly fair, bad between Benares, and Mohal Sarai.	Not satisfactory.
Benares	65° 37' 59" 750 6° 688		..	1,201	383			..
Mirzapur	271° 750 (2) Stone quarry roads. 50° 000 (1) 2° 313 (2) 3° 625	76° 125	75	641	414	626	Fair.	Fair.
Jaunpur	56° 125 6° 000	146° 875	151	463	342	193	Fair	Fair and bad.
Ghazipur	21° 750 1° 070	38° 375	84	498	325	267	Good	Fair.
Ballia	2° 750 3° 500	69° 750	65° 99	576	260	213	Fair	Not good.
Gorakhpur	50° 000 3° 000	137° 750	144	1,034	505	322	Do.	Fair, except some roads.
Basti	62° 00 Nil	126° 750	148	448	801	455	Good	Fair.
Azamgarh	81° 750 3° 875	142° 500	147	378	253	541	Do.	Do.
Naini Tal	80° 635 6° 500	..	A	2,449	..	A	Do.	A
Almora	33° 135 1° 625	..	A	1,559	..	A	Do.	A
Garhwal	25° 750 Nil	..	A	2,986	..	A	Fair	A
Lucknow	67° 375 19° 000	76° 125 73 miles 5 furlongs 411 feet.	5	1,759	463	607	Good	Not satisfactory.
Unao	28° 750 1° 125	108° 750 114 miles 4 furlongs 0 feet.		1,982	362	377	Good, except between Unao and Cawnpore which is bad.	Fair to poor.
Rae Bareilly	53° 230 3° 125	88° 125 116 miles 1 furlong 466 feet.	1	367	317	300	Good	Fair to poor.

'A' No metalled roads are maintained by the district boards.

Statement showing the mileage and condition of extra-municipal limit metalled roads in districts and their cost of maintenance, etc — (concluded).

Name of the district.	Mileage of extra-municipal limit metalled roads in the districts maintained and repaired by—				Average cost per mile of maintenance and repair during 1922-23 to 1926-27 spent by—		Condition of roads maintained by—		Remarks.
	Government.		District board.	Government.		District board.	Government.	District board.	
	Provincial and metalled roads.	Local road maintained before Octo-ber 1, 1924.		Of roads metalled in column 2.	Of roads metalled in column 3, i.e., before Octo-ber 1, 1924.				
1	2	3	4	5	6	7	8	9	10
Sitapur ..	84.125 2.375	97.250	97 miles 0 furlong 4 feet.	473	280	231	Good	Fair, except Sitapur-Lakhimpur road which is in an unsatisfactory condition. Fair to poor.	
Hardoi ..	Nil	131.125	122 miles	..	332	314	..	Ditto	*Figures for the last two years only given.
Kheri ..	Nil	78.250	82 miles 5 furlongs.	..	185	*.07	..	Fair.	
Fyzabad ..	41.750 8.500	88.875	92 miles.	662	368	31	Good	..	
Gonda ..	41.250 1.200	133.000	138 miles	505	527	421	Fair	..	
Bahraich ..	19.875 2.625.	91.750	96 miles 6 furlongs 478 feet.	272	790	562	Do.	..	Mostly poor to bad.
Sultanpur ..	28.625 1.375	118.975	118 miles 2 furlongs.	321	346	310	Good	..	Bad
Parbhagarh ..	69.750 3.000	67.750	67 miles.	339	300	262	Do.	..	Fair.
Bara Banki ..	46.375 0.375	185.875	146 miles 5 furlongs	200	219	336	Do.	..	One-third good and the rest two-third bad.

APPENDIX C.

(See page 7 *supra*.)**Copy of report referred to in Part (A) of Question No. 16.***Place of panchayat Khanpur police station, Aurangabad.*

Present name of panchayat.	Date of appointment.	Date of expiry of present	Fresh name, if any, with qualifications.	Recommendation of sub-divisional officer.	Collector's order.
At Khanpur, village Tah, Anupshahr.	January 21, 1924.	January 20, 1927.	<p>No fresh names necessary as old constitution was revised by Collector's order, dated January 11, 1926, and the following be approved for another 3 years.</p> <p><i>Sarpanch.</i></p> <p>Agha Sakhawat Ali Shah alias Sakhi Jan</p> <p><i>Panch.</i></p> <p>Hakim Abdur Kabir. Shaikh Khurshud Ali Dafedar Pensioner. Pandit Beni Prasad. Darab Singh (Chauhan). Lala Jagan Lal I Vaish. Lala Jagan Lal II Vaish.</p> <p>I inspected the work on December 12, 1926, and found it working satisfactorily.</p>		

ABDUL WAHID KHAN KHALIL,

Sub-divisional Officer.

11-1-1927.

Report referred to in part (A) of Question No. 16.*Collector.*

On my last visit to Khanpur during cold weather, I inquired into advisability of prolonging the period of the village panchayat of that place and came to the conclusion that the present constitution revised by your predecessor's order, dated January 14, 1927, was quite fit to be continued.

I accordingly reported on January 11, 1927, to your predecessor that it be so approved for another three years.

But before an approval was made some of the villagers of Khanpur through Pandit Nanak Chand, B.A., LL.B., vakil, filed a petition on January 13, 1927, questioning the constitution and specially attacking the sarpanch, Agha Sayid Sakhi Jan alias Sakhawat Ali Shah, on various vague grounds. Mr. H. Minson, I.C.S., directed me to go on the spot and make an inquiry about it noting points against the sarpanch and ordering suspension of all work until such an inquiry is completed. An order was accordingly issued and I fixed February 6, 1927, for local inquiry to ascertain the popularity of the sarpanch as well as of other panches. I had published my intention well and informed both parties beforehand. On reaching the camping grove of Khanpur village, I found a mob collected there and I started my inquiry asking from each individual person what they wanted, i.e., continuance of present panches or any change, if so, what. All minors were separated and men were asked to sit castewise who may be in favour of the present constitution on one side and those who may suggest any changes should sit at least 20 yards apart. I also sent words at once to the village of my arrival and invited all who may like to express their views.

On this invitation I noticed that some villagers under the leadership of Lala Budh Sen and Abdul Wahab (the 2 panches who had been removed from panchayat by the order, dated January 14, 1926, Pandit Sohan Lal, Mukhtar-i-am of Lala Budh Sen, one Babu Ram Sharma of Khanpur and other persons under his influence appeared coming to the camping ground. They were made to sit castewise and on questioning they were found to be all for opposition and were arranged to sit 20 yards apart. Lists were prepared after personally ascertaining from each group their individual desire for, or against the existing panchayat, and (1) Pandit Sohan Lal, (2) Babu Ram Sharma and (3) Abdul Wahab Khan prepared lists, Exts. 1 to 3, for opposition, while the patwari of Khanpur and my own criminal Ahlmad M. Sohan Lal for persons voting in favour of the existing panchayat. The result of all this can be seen from statement on page 4.

Out of a total attendance of 936 persons so large a proportion as 770 voted for existence of present panches and sarpanch while only 166 against them. Another point worth noting in this division is that all low castes desired the continuance of panchayat with its present constitution and the different castes attending the voting were 29 of these only 8 classes favoured the opposition side. With only 1 member each for 2 castes, viz., Julaha and Manihar and 4 for Rajputs against 115, 11 and 51 of the same castes, respectively, in favour of panchayat. This was a very concrete evidence for popularity of the working of this panchayat, and none could refuse a bare act of justice to

the existing panchayat by continuing its period in view of the general public confidence of village enjoyed by this panchayat. Had the sarpanch been of a character as has been pointed by the opposition petition none would have willingly wasted his day's labour for the sake of expressing a just and true word of admiration for him in the manner in which it was done before me and I can say with some confidence that no coercion or other influence could have been used to collect such a great number of public men and in fact was not so used for securing their votes. From office report I found that the sarpanch Agha Sakhawat Ali Shah had served as an agent for Pandit Sohan Lal, a candidate for M. L. C. in last election and as such he had to face wrath of the party opposing that candidate and hence the villagers for opposition thought fit to engage Pandit Nanak Chand Sahib as their vakil to conduct the opposition against Sakhi Jan, late agent of election against himself who had worked for the rival candidate, Pandit Sohan Lal. Had this not been so, Sakhi Jan's personality could not have been so rashly attacked.

Before concluding the report, I may add a few words regarding the sarpanch and his family. He had enjoyed the confidence of all district officers to whom the reins of the district administration were entrusted and the copies of inspection made by officers in 24, 25, and 26 to his personal and family testimonials give a direct lie to all the expressions of bluff embodied in the opposition petition. He was instrumental in 1926 in weeding out 2 panches, Lala Budh Sen and Abdul Wahab from the old constitution and that made the position further worse as these two gentlemen wish to influence his independent action with tricky and misleading expositions from men of their own party and I think these cannot weigh with any of the officers of matured views (vide police report, dated August 20, 1926, police station Aurangabad, made by a constable regarding tricky action of Abdul Wahab and Ram Saran).

I invited individual complaints, if any, also after finishing off the voting and could only secure 15 criticisms from a gathering of 936 people. From a careful checking of each case from the registers of panchayat, I found that all were of 1925 except three which date back to March, May and August, 19-6, and none of these men had individually gone to make any complaint, whatsoever, against the panchayat's decision to Collector soon after the alleged injustice of his affair. I examined the registers well for each such complaint and could not see any irregularity of the procedure or any favouritism even for each such case. This point was also in favour of existing members. The copies of judgements filed by opposition and by Sakhi Jan need no comments as these date back to the years 1909 and 1912. The hollowness of these tutored complaints would be clear from the statement of one Babu Ram Vaish, a youth of 22 years, who was misled by Babu Ram Sharma and Abdul Wahab Khan, as his own (free will) statement goes to show, to attack honour of Sakhi Jan in questionable terms and when he realized his own position he wept and craved for pardon. Since his demeanour showed he was absolutely tutored he was directed to have any pardon from the person whose honour he was going to attack as legally he could only compromise with him and nobody else.

After this there were further complaints, but none of any solid purposes—all tutored. After giving over 5 hours to this inquiry and awaiting for any further comers from the Abadi, I returned through the Abadi to Bulandshahr noting none who desired to come and record his expression against the panchayat.

I therefore submit my report, dated January 11, 1927, for approval of extension of the period of panchayat with all papers.

(Sd) ABDUL WAHID KHAN KHALIL,
Sub-divisional Officer, Anupshahr.

BULANDSHAHR :

April 14, 1927.

Details of castes.

Name of caste.			For extending existing panchayat.	In opposition.
Qassab	...	..	77	...
Teli	..	..	15	...
Saqqa	...	...	14	..
Moghal	..	..	9	...
Bharbhujia	..	..	9	...
Julaha	...	...	115	1
Chauhan	...	...	20	..
Mali	...	..	30	...
Lodha	...	..	62	17 Brahmmins.
Jat	...	...	3	12 Sunars.
Khatik	...	...	11	...
Aheria and chamar	...	...	102	..
Dhobi and sweepers	..	...	38	...
Hajjam and kahars	..	..	22	...
Faqir and naddat	..	...	11	...
Manihar and Rangrez	..	..	18	1 Manihar.
Sheikh and Rajputs	...	...	72	4 Rajputs.
Bhatiara and carpenter	...	...	55	..
Vaish	...	..	3	46
Pathan	..	...	76	19
Sayid	...	...	8	...
Seni	...	..	..	66
Total			770	166

(Sd.) ABDUL WAHID KHAN KHALIL.

APPENDIX D.

(See page 8 *supra*.)*Copy of order referred to in part (B) of question No. 17.*

S. D. O.

Would you please make an inquiry into this matter. It is alleged that the sarpanch's father is heavily indebted and several decrees against him have been obtained. It is further alleged that Sakhawat Ali is very unpopular. Would you please consult the residents of all the villages in the circle now and ascertain whether any changes are desirable in the constitution of the panchayat. The report which I have just received, dated the 11th instant, should be reconsidered in the light of this complaint. The panchayat should be directed not to dispose of any cases either pending ones or instituted subsequently until this inquiry is finished.

(Sd.) H. MINSON,

Collector.

13-1-1927.

*Extract copy of the Collector's order, dated January 24, 1927,
referred to in part (E) (ii) of question No. 17.*

Joint Magistrate.

Third class criminal cases of Bulandshahr tahsil. Tahsildar will not take up any criminal case until further orders except pending cases which will be disposed of by him. Also tahsildar will send him 100 2nd class revenue and rent cases for the present. All panchayat complaints will be inquired into by him and report submitted to me.

Copy of order referred to in part (D) of question No. 19.
Order.

The inquiry made by the sub-divisional officer, dated April 14, 1927, shows that the agitation against S. Sakhawat Ali Shah is an engineered one. The majority of the population is still in favour of sarpanch as revealed by the said report. Under these circumstances I extend the period of the Panchayat Khanpur for 3 years with effect from January 21, 1927, and order it to resume work.

Individual cases when an allegation is made against the Panchayat Court can be considered on their merits under section 71 of the Panchayat Act.

(Sd.) RAFI-UD-DIN AHMAD,

Collector.

25-4-1927.

APPENDIX E.

(See page 9 *supra*).

Statement referred to in part (c) of question No. 20.
Civil side.

By whom.	Date.	Results of cases in panchayat.
1. Jwala .. <i>Criminal side.</i>	13-5-1925 ..	Decided <i>ex parte</i> in plaintiff's favour.
2. Khichichoo Mal ..	28-5-1926 ..	This was of former file and was decided by inflicting a fine of Rs. 5.
3. Bhim Sen ..	10-5-1926 .. 25-5-1926 ..	This case was taken up on inspection report District Medical Officer of Health and ended in conviction—fine, Rs 5.
4. Har Sarup ..	27-5-1926 ..	Fined Rs. 5.

APPENDIX F.

(See page 10 *supra*).

Statistics relating to Burma meat trade.

STATEMENT I.

Number of cattle slaughtered for the trade.

1914.	1923-24.	1924-25.
144,000	118,914	120,793

STATEMENT II.

Year.	Total number of animals slaughtered.	Number of cattle slaughtered for—		Quantity of dry meat exported (maunds).
		Local consumption.	Burma meat trade.	
(1923-24) (1923-24) ..	22,056,193	738,488	188,205	33,555

STATEMENT III.

Year.	Number of cattle slaughtered for—	
	Local consumption.	Burma meat trade.
(1924-25) (1925-26)	2,981,978	325,661

STATEMENT IV.

Details of cattle slaughtered for the Burma meat trade in 1923-24 and 1924-25 with average price of each kind.

Year.				Cows and calves.	Bulls and bullocks.	Buffaloes.
1923-24	..	..	..	9,823	34,574	70,017
1924-25	..	..	..	7,226	33,476	80,091

Average price in rupees.—				1923-24.	1924-25.
Cows	..	..	..	10·04	10·09
Calves	..	..	..	9·2	9·26
Bulls and bullocks	..	..	..	18·3	13·4
Male buffaloes	..	..	..	18·06	11·09
Female buffaloes	..	..	..	31·15	33·7

APPENDIX G.

(See page 14 *supra*.)

Names of contractors referred to in answer to question No. 33(d).

- | | |
|--------------------------|----------------------------|
| 1. P. Govind Prasad. | 15. Maiku Ram. |
| 2. Mr. Badri Nath Mitra. | 16. L. Kandhai Lal. |
| 3. L. Radhey Shyam. | 17. L. Bhagwan Das. |
| 4. L. Kedar Mal. | 18. L. Ganesh Prasad. |
| 5. L. Ram Narayan. | 19. B. Kunj Behari. |
| 6. B. Prag Narain. | 20. P. Shiva Govind. |
| 7. M. Muzaffar Ali. | 21. P. Chandi Shankar. |
| 8. M. Muhammad Musa. | 22. M. Manzoor Husain. |
| 9. B. Jaggan Nath. | 23. Th. Ram Swaroop Singh. |
| 10. L. Suraj Prasad. | 24. Ram Nath. |
| 11. M. Hamid Husain. | 25. Sadal Ram. |
| 12. Sh. Munir Bux. | 26. Gulab Chand. |
| 13. L. Ram Dayal. | 27. L. Gajadhar Prasad. |
| 14. M. Muhammad Sharif. | 28. Th. Nand Lal Singh. |

APPENDIX H.

(See page 14 *supra*.)

*Statement referred to in the answer to starred Council question
No. 35 for December 17, 1927.*

The following amounts were spent on the Kathgodam-Ranikhet road during the last five years:—

Year.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.
	Rs.	Rs.	Rs.	Rs.	Rs.
(1) Expenditure on Kathgodam-Ranikhet cart road—					
(a) Ordinary maintenance ..	41,405	54,850	85,068	75,761	94,376
(b) Special repairs ..	1,69,060	65,622	1,21,769	1,69,457	2,70,076
(c) Original works (including road reconstruction.)	2,99,606	98,376	2,38,172	2,61,157	2,97,052
Total ..	5,10,071	2,18,848	4,34,809	5,06,375	6,61,504
(2) Expenditure on Brewery [also included in (1)]—					
(a) Ordinary maintenance ..	..	..	..	..	..
(b) Special repairs ..	..	..	11,104	11,420	76,388
(c) Original works (including road reconstruction)	..	..	..	12,889	11,821
Total ..	..	..	11,104	24,309	87,659
(3) Expenditure on Amparao [also included in (1)] ..					
(a) Ordinary maintenance ..	..	..	..	..	..
(b) Special repairs ..	14,098	13,160	7,687	5,778	41,629
(c) Original works (including road reconstruction).	..	..	13,059	61,551	23,467
Total ..	14,098	13,160	20,746	67,329	65,096

The figures under (1) above are approximate and include the expenditure for Amparao and the Brewery as no separate account is kept for these two sections. The figures under (2) and (3) are for those works and repairs in Amparao and the Brewery for which separate accounts were kept. These figures are included in the total shown under (1) above.

*Statement referred to in the answer to starred Council question
No. 36 for December 17, 1927.*

The approximate cost of repairs to damages done due to the heavy rains of August, 1927, is as follows:—

	Rs.
(1) Kathgodam-Ranikhet road	3,92,000
(2) Local roads under Public Works Department charge	3,200
(3) Local road under district board	95,495
Total	4,90,695

APPENDIX 1.

(See page 28 *supra*).

*Statement showing the area of land given to European Settlers
in Ramgarh.*

Serial No.	To whom granted	Date when the land was given.	Area of land,	
1	Mr F. H. Sears	July 1, 1905	600	Nahs,
2	Mr. C. T. Allen	June 4, 1906	206	"
	Ditto	January 2, 1907	1,192 2/16	"
	Ditto	June 15, 1920	142 11/16	"
	Ditto	September 4, 1923	53 2/16	"
			1,598 15/16	"
3	Mr E. A. Swetenham	November 9, 1910	561 1/16	"
	Ditto	August 11, 1914	431 12/16	"
			992 13/16	"
4	Miss E. P. Deriaz	September 24, 1915	50 12/16	"
5	Miss Deriaz and Miss O. Hearsey	May 13, 1921	274 10/16	"
	Ditto	October 1, 1923	787	"
			1,061 5/8	"
6	Mr. Lincoln	October 2, 1923	657 8/16	"

APPENDIX J.

(See page 28 *supra*.)*List of fee simple estates in the Naini Tal district.*

Name of holder.	Name of present incumbent.	Area of land.	Original value.	Amount of cess.
1	2	3	4	5
(1) Mr. Jones ..	Mrs. Jones ..	1210 nalis..	Not known ..	Rs. a. 4 8
(2) Mr. Mallen ..	Mrs. Mallen ..	302 8/16 nalis	Ditto ..	1 8

(1) At Bhim Tal and (2) at Bhowali.

List of fee simple estates in the Almora district.

	Pargana.	Patti.	Mauza.	Name of incumbent.	Area. Ac. r. p.	Land revenue. Rs. a. p.	Cess. Rs. a. p.
1	Baramandal	{	Dunagiri	Mr F. Earl.	2,665 1 27	205 2 0	20 8 2
2	Ditto	..	Bhainsorha	Lala Luchi Ram Sah	81 2 20	21 0 0	2 1 6
3	Ditto	..	Poth	Pandit Badri Datt Joshi	57 0 31	12 0 0	1 8 3
4	Ditto	..	Dinapani	Mr. J. Banks	15 3 36	..	No cess fixed.
5	Ditto	..	Line Hawalbag	Lala Uday Nath, Partab Chand Debi Lal, son of Amarnath.	119 3 32	19 10 3	1 15 6
6	Ditto	..	Binsar	General Ramsay	26 1 25	7 0 6	Cess not entered.
7	Ditto	..	Do.	(1) Debi Lal, son of Jai Sah, (2) Har Lal, son of Kundan Lal.	13 2 16	2 12 0	Ditto.
8	Ditto	..	Khali	Mr Wilson	16 0 19	4 1 0	Do.
9	Ditto	..	Hira Dungri	London Mission	9 3 33	2 8 2	0 8 0
10	Ditto	..	Seemola	King-Emperor	9 3 37	..	0 4 0
11	Danpur	..	Chatia	Gobind Singh and others	445 0 0	40 8 0	4 0 9
12	Do.	..	Syali Jinsar	Ditto	131 0 0	11 11 2	1 2 7
13	Do.	..	Joula	King-Emperor	789 0 0	75 0 0	7 8 0
14	Do.	..	Maigarhi	Ditto	750 0 0	60 9 7	6 1 0
15	Do.	..	Dumlot	Ditto and Mr. Purvesh	660 2 34	49 9 0	4 15 2
16	Kausani	..	Lohna	King-Emperor and other purchasers.	2,034 0 31	179 3 5	22 1 9
		..	Nakathi				
		..	Shouli				
		..	Ratmatia				
		..	Bajyula				
17	Danpur	..	Ayartoli	King-Emperor and other purchasers.	3,296 0 0	348 13 2	34 14 2
		..	Binkholi				
		..	Urhakali				
18	Gangoli	..	Jhailola	Durga Singh and others	1,275 0 22	121 1 7	12 1 9
19	Do.	..	Matial	Major Heese	207 0 0	25 6 5	2 8 8
20	Do.	..	Umrani	Ditto	181 0 37	13 9 7	1 5 9
21	Do.	..	Arjunpani	Ditto	68 0 1	6 12 10	0 10 11
22	Do.	..	Beninag	Kedardatt Murlidhar	358 0 14	34 0 0	3 6 5
23	Do.	..	Sagarh	Ditto	81 1 1	7 7 6	0 12 4
24	Do.	..	Choukorhee	Deb Singh, Chanchal Singh	1,690 2 29	160 9 7	16 1 0

List of fee simple estates in Garhwal district.

Serial No.	Name of fee, simple estate.	Names of present incumbents holding them.	Area.	Original value.	Cess.
			Ac r. p.	Rs. a. p.	Rs. a. p.
1	Gwaldam Pindarwar ..	Mr. R. M. Nash* ..	594 0 26	1,529 15 6	8 1 7
2	Talwari Malli „ ..	Ditto ..	290 1 20	731 6 0	4 0 0
3	Kauriya „ ..	Ditto ..	720 3 24	1,802 4 0	7 3 2
4	Sirtoli „ ..	Ditto ..	1,288 0 20	3,220 5 0	12 12 10
5	Binatoli „ ..	Ditto ..	517 3 0	1,394 6 0	5 1 7
6	Gadoli with Marwara, Pokhr. and Chalamgaon Nandalsyun	Miss Kail, Mr. M. J. H. Gill, Superintendent and Mr. D. A. Chowfin.	929 3 18		10 0 0
7	Chopra Mission with Marwara, Pokhri and Chalamgaon Nandalsyun.	Methodist Episcopal Mission ..	12 2 7	1,00,000 0 0	0 3 2
8	Rawatgaon with Ducla Nandalsyun.	Pandit Brij Mohan, Gauri Datt, Tara Datt, Urbi Datt, Musammats Ahilya and Sidhi and Bdy. Datt.	57 0 21		1 4 10
9	Bharsar Choprakot ..	Mr. H. H. E. McMellen, Miss A. G. McMellen, Miss L. D. McMellen, Mrs. C. B. McMellen, and Mr. W. U. S. McMellen, Mr. H. C. McMellen, Mr. R. B. McMellen and Miss E. R. McMellen.	504 2 32	1,261 12 0	5 0 0
10	Chinkulari (lagga of Chhapali), Lohaba.	Ram Lal Sah, Bhawani Das, Nand Lal Sah, and Shib Lal Sah of Dwarhat, Kumaun.	31 1 2		1 1 7
11	Ghandyal (lagga of Chhapali), Lohaba.	Pushupati Nath Mahadeb, Ram Lal Sah, Bhawani Dass Sah and Nand Lal Sah.	164 1 29	Not known ..	4 11 3

12	Mejerasar (lagga of Chhapali) Lohaba.	Gulabu, Chandru, Maindru, Kalam Singh, Kan-chaun, Badria, Bakhtaru, Mohan Lal, Gulabu, Ram Lal Sah, Bhawani Dass, Nand Lal Sah, Rup Singh, Ghantoo, Chotu, Jwala, Dhan Singh.	89	1	1	Not known..	2	4	10
13	Melbazar (lagga of Chhapali) Lohaba.	Jitu, Harku, Panchamu and Kalamu ..	90	2	21		2	14	5
14	Paranghat (lagga of Chhapali) Lohaba.	Mr. R. L. Camberland ..	78	3	9		1	4	10
15	Siman Malla (lagga of Chhapali) Lohaba.	Dulap Singh, Nurun Singh, Musammit Rup., Ajab Singh, Ratan Singh 1, Padam Singh, Ganga Singh, Han Singh, Kaliya, Bhawanu, Kalamu, Dayalu, Jaman Singh, Kishan Singh, Narain Singh, Katan Singh 2, Jot Singh, Jeet Singh, Syam Singh, Maindar Singh, Todor Singh, Umrao Singh, Gablu, Bag Singh, Bhaupalu, Bachlu, Gopali.	39	1	13		1	3	2
16	Mandha lagga of Siman Malla ..	Ajab Singh, Ratan Singh, Padam Singh, Ganga Singh, Tara Datt, Umrao Singh, Mahendra Singh, Indra Singh, Gablu, Bhanpalu, Bag Singh, Dalap Singh, Narain Singh, Musammit Kupa, Dhan Singh, Kaliya, Bhawanu, Lalmu Dayalu, Kalam Singh, Kishan Singh, Jaman Singh, Narain Singh, Ratan Singh 2, Jot Singh, Jeet Singh, Shyam Singh, Bachu, Gopali.	50	1	1	Not known..	1	11	8
17	Sitoli Lohaba ..	Prem Lal, Ram Lal, Bhawanu Lal, Sher Singh, Jaman Singh, Tula Singh, Dhan Singh, Dewan Singh, Indra Singh and Luti.	205	0	2	448 11 9	2	12	9
18	Mathkotkhal (lagga of Chhapali) Lohaba.	Sharad Chandra and Krishn Chandra of Calcutta ..	233	3	0	1,370 10 6	15	0	6
19	B ni Tal Silichandpur ..	C H. Greenwold ..	1,530	3	0	3,903 3 0	15	13	7
20	Mandakhal Ghurdorsyun ..	Rev. Gill and Messrs. G. A. Chowfin, G. S. Chowfin, H E Chowfin and Mrs. D. A. Chowfin of Gadoli.	98	2	38	246 13 7	1	0	0

*** Now purchased by Government.**

APPENDIX K.

(See page 28 *supra*.)

*Statement referred to in the answer to starred Council question
No. 77, for December 17, 1927.*

No.	District.	Sub-inspec- tors.	Head con- stables.	Naiks.	Constables.
1	Dehra Dun	1	11	11	88
2	Saharanpur	1	10	19	181
3	Muzaffarnagar	1	7	16	108
4	Meerut	3	20	26	218
5	Bulandshahr	1	10	15	117
6	Allgarh	2	18	22	170
7	Muttra	1	10	15	117
8	Agra	4	27	29	330
9	Mainpuri	1	18	16	193
10	Etah	1	10	18	112
11	Bareilly	3	23	32	256
12	Bijnor	1	10	18	104
13	Budaun	1	12	19	136
14	Moradabad	1	18	21	164
15	Shahjahanpur	1	12	17	131
16	Pilibhit	1	8	12	83
17	Farrukhabad	1	11	18	131
18	Etawah	1	12	21	136
19	Cawnpore	3	25	26	271
20	Fatehpur	1	9	13	80
21	Allahabad	4	31	29	280
22	Jhansi	4	39	30	317
23	Jalaun	1	26	15	163
24	Hamirpur	1	8	14	102
25	Banda	1	11	15	112
26	Benares	4	20	27	242
27	Mirzapur	1	8	13	79
28	Jaunpur	1	11	12	95
29	Ghazipur	1	9	14	84
30	Ballia	1	9	12	98
31	Gorakhpur	2	17	27	202
32	Basti	1	9	14	99
33	Azamgarh	1	10	15	101
34	Kumaun division	1	27	23	217
35	Lucknow	5	31	39	372
36	Unao	1	7	17	107
37	Rae Bareilly	1	7	19	109
38	Sitapur	1	10	19	130
39	Hardoi	1	9	18	126
40	Kheri	1	6	15	101
41	Fyzabad	3	14	20	172
42	Gonda	1	8	20	131
43	Bahraich	1	7	16	116
44	Sultanpur	1	6	15	85
45	Partabgarh	1	6	13	78
46	Bara Banki	1	9	12	91
47	Office of Inspector-General of Police.	..	3	..	23
48	Special dacoity police ..	3	27	22	170
49	Police Training School, Mora- dabad.	1	11	..	12

APPENDIX L.

*(See page 80 supra)**Statement.*

1. The Collector and Magistrate, for the time being, is the Chairman.
2. Khan Bahadur Shaikh Syed Muhammad, *alias* Maiku Mian M.L.C., Rais and Special Magistrate, Sheikhpur.
3. M. Nizam-ud-din Husain, *alias* Nizami, editor, *Zulqarnain*, Budaun.
4. M. Agha Mirza, Deputy Collector and Assistant Settlement Officer, Budaun.
5. M. Ahmad Hasan, Deputy Collector, and the editor and manager of the *District Gazette* :

Nos. 2—5 are members of the committee. There is no other office-bearer.

APPENDIX M.

*(See page 89 supra.)**Statement showing the scale of pay of compounders.*

	Rs.
Probationers (for one year)	18
Sixth grade (after one years' service as probationer) ...	20
Fifth grade (after two years' service as compounder) ...	25
Fourth grade (after five years' service as compounder) ...	30
Third grade (after ten years' service as compounder) ...	35
Second grade (after fifteen years' service as compounder) ...	40
First grade (after twenty years' service as compounder) ...	50

APPENDIX N.
(See page 89 supra.)
Statement referred to in answer to starred Council question No. 117 for December 17, 1927.
RELIGIOUS INSTRUCTORS.

Name of jail.	Name.	Educational qualifications	Status.	Remarks.
District jail, Azamgarh.	(1) Pandit Raja Ram	Vyakaran Madhyama Sahitya Shastri (1st part).	Teacher of Srikrishna Path- shala, Azamgarh.	
	(2) Pandit Deota Din .	Vyakaran Acharya ...	Professor of Sanatan Dharm Sanskrit College, Azam- garh.	
	(3) Revd. Mr. J. H. Allen.	} Missionaries ...	...
	(4) Revd. Mr. W Matchin.		...	
District jail, Banda.	(1) Pandit Bhawani Prasad Shastri.	Passed Second Sanskrit examination in Panni.	Carries on profession of <i>panditai</i> .	Gets an allowance of Rs. 12 per mensem from dis- trict board.
	(2) Maulvi Muhammad Ali.	Passed no examination ...	...	Ditto.
Orai jail ...	Pandit Gokul Prasad ..	Passed Hindi and Urdu vernacular final exami- nation and Normal training.	Head Master, Secondary School, Orai.	Gets an allowance of Rs. 6 per men- sem from district board.

District jail, Muttra.	(1) Khan Sahib Qazi Muhammad Amir.	Knows Persian and Urdu	Holds the title of Khan Sahib, is Qazi of Juma Masjid and an Honorary Magistrate and possesses house property.
District jail, Muzaffar- nagar.	(2) Chaudhri Ghidda Singh.	Knows Hindi	Landlord.
	(1) Chaudhri Sher Singh.	Intermediate	Superintendent, Kshatriya Jat boarding house, Muzaffarnagar.
	(2) Dr. Dwarka Prasad Goel	Graduate of the Science of Medical in Homœopathy.	Secretary, Arya Samaj, Muzaffarnagar.
District jail, Fatehpur.	(1) M. Hasan-ud-din 'Khamosh.'	Editor of an Urdu weekly <i>Dilchasp</i> and author of a dozen Urdu books meant for amelioration of the moral condition of Muslim community.	Retired inspector of post offices, zamindar, paying Rs. 800 land revenue, member of Educational Conference, Aligarh.
	(2) Babu Hirday Ram	M.A., LL. B.	Vakil and land holder.

APPENDIX P.

(See page 41 *supra*.)

Statement as referred to in answer to question No. 122 for the Council meeting of December 17, 1927.

Boards.	1924-25.		1925-26.		1926-27.	
	Amount of Estimate.	Fees charged.	Amount of Estimate.	Fees charged.	Amount of Estimate.	Fees charged.
	Rs. Lakhs.	Rs. Lakhs.	Rs. Lakhs.	Rs. Lakhs.	Rs. Lakhs.	Rs. Lakhs.
Municipal.. ..	67.79	1.19	51.94	1.17	25.74	0.52
District	0.11	0.002	N. I. L.		8.55	0.34
Total	67.90	1.192	51.94	1.17	34.29	0.86

APPENDIX Q.

(See page 49 *supra*.)

Statement referred to in answer to starred Council question No. 157 for December 17, 1927.

Elephants .. ..	...	...	...	{	Rs. 90 per annum. Rs. 15 per mensem. 12 annas per day.
Camels .. ..	...	...	...	{	Rs. 5 per annum. 12 annas per mensem.
Buffaloes .. ..	...	...	...		Re. 1-8-0 per annum.
Cows, bulls and bullocks ..	...	...	...		12 annas per annum.
Sheep and goats .. ..	...	...	...		3 annas per annum.
Ponies, donkeys and mules ..	...	...	...		12 annas per annum.

APPENDIX R.

(See page 52 supra.)

Copy of translation referred to in the answer to starred Council question No. 174 (e) for December 17, 1927.

Licence for taking out Nagar Kirtan procession of March 30, 1925, issued in the names of Sheo Dayal Singh, secretary, and Babu Mohan Lal, president, Arya Samaj, Hapur, under section 30, Act V of 1861.

The Nagar Kirtan procession of Arya Samaj, Hapur, of March 30, 1925, is permitted to be taken out by the following route and at the following time. This procession will start at 2.30 p.m. from the Arya Samaj temple near Hapur town hall and passing via Garhmukteshar road in front of Pukhta Bagh, Chaudi temple road, will reach Meerut Darwaza Chauki between 3 and 3.30 p.m. It will not reach the crossing of Chauki Meerut Darwaza before 3 p.m. Thence it will pass in front of Udai Ram Seth's house and the back of Chiranji Lal's house to Chah Kamal. Thence via Kucha Chah Kamal, and front of Shib Charan Das's house, reach old bazar road. Passing through Bari Bazar, Chhoti and Bari Mandi it will go to Bazaza Bazar. Thence taking an outward route passingly by Kothi Darwaza Mata mohalla alias Manesra (?) ganj-ki-gali in front of Hakim Bhagwati Prasad's house, through mohalla Burj and Katari by the back part of Moti Masjid will turn to the road to the mohalla of sweepers and will come on Garhmukteshar road near octroi barrier and passing by Garhmukteshar road it will come to an end at Arya Samaj temple at 5.30 p.m. The organizers of the above procession are authorized that instead of starting by the route of Pukhta Bagh and returning by the back part of Moti Masjid and sweepers' mohalla, as permitted, they may start through sweepers mohalla and back part of Moti Masjid and return via Chandi Bagh Pukhta but they should adhere to the time mentioned above. The breach of orders mentioned above is an offence under Police Act. The route and time fixed should be adhered to.

APPENDIX S.

(See page 3 *supra*.)

HAUDHR DHAR IR SINGH SAH

(a) A list of subjects in each of which provisions exist for research work in the University.	(b) The number of research scholarships at present being given in each subject in the University.	(c) The total sum spent monthly in giving research scholarship in each subject in the University.	(d) The number of hours devoted daily to the guiding of research work by the Professor or Professors in charge of research work in each subject in the University.	The salary of the teachers in charge of research work in each subject.	Remarks.
		Rs.	I.— <i>Allahabad University.</i>		
1. English	One	100	There are no hours fixed for guiding research work.	1. Professor on Rs. 1,550—100—1,750 plus O. P. pound 30 and passage pay Rs. 50.	
2. Philosophy	One	100		2. Reader on Rs. 450—40—800.	
3. History	Three	300		Professor on Rs. 800—50—1,350.	
4. Economics	Two	200		Professor on Rs. 1,000—50—1,500.	
5. { Sanskrit	One	100		Reader on Rs. 450—40—800.	
} Hindi	One	100		2. Reader on Rs. 500—50—1,000.	
6. { Persian	One	100		3. Lecturer on Rs. 300—25—675.	
} Arabic	..	..		1. Professor on Rs. 400—50—1,250.	
7. Urdu	One	100		2. Lecturer on Rs. 250—25—450.	
8. Chemistry	Four	400		Lecturer on Rs. 250—25—450.	
9. Botany	One	100		Reader on Rs. 300—25—675.	
10. Mathematics	One	100		Lecturer on Rs. 250—25—450	
11. Physics	Two	200			
12. Zoology	Three	300			
1. Indian History	One	70	II.— <i>Lucknow University.</i>	1. Professor on Rs. 400—50—1,250+O.P.	
2. Economics	..	..	There are no hours fixed for guiding research work.	Rs. 250.	
3. Political Science	..	..		Reader on Rs. 450—40—800.	

APPENDIX T.

(See page 54 *supra*.)

Statement referred to in the answer to starred question No. 180 for December 17, 1927.

- (b) (2) 37.
 (3) 19.
 (4) 8.
 (5) 28.

APPENDIX U.

(See page 64 *supra*.)

Statement referred to in answer to starred question No. 213 asked by CHAUDHRI DHARAMVIR SINGH SAHIB for the Council meeting of December 17, 1927.

Year.					Number of cases filed in Meerut civil courts during the year.	Number of clerks serving in these courts on December 31 of the year.
1917	..	..	..	..	44,843	170
1919	..	..	..	..	44,881	179
1921	..	..	..	..	37,502	181
1923	..	..	..	..	37,421	158
1925	..	..	.	..	41,720	163
1926	..	..	..	..	46,132	161

APPENDIX V.

(See page 68 *supra*.)

The entertainments at the Ranchi, Agra and Bareilly Mental Hospitals are as follows:—

Ranchi European Mental Hospital—

- (1) Tennis.
- (2) Football.
- (3) Hockey.
- (4) Croquet.
- (5) Badminton.
- (6) Golf.
- (7) Cricket.
- (8) Rowing and swimming.
- (9) Ping-Pong.
- (10) Cards, chess and draughts.
- (11) Gramophone.
- (12) Cinema.
- (13) Social entertainments.
- (14) Band.

Agra Mental Hospital—

Male better class section—

- (1) Tennis.
- (2) Football.
- (3) Walking exercises.
- (4) Draughts, pachesi, chess, playing cards and English and Vernacular books and newspapers.

Ordinary section—

- (1) Pachesi, chess and playing cards.
- (2) Dholaks, manjiras and sithars are provided for amusement on holidays and after-work hours.

Better class female section—

A well-furnished sitting room is provided where females sit and sew and read.

In addition to the above, once a month gipsy girls are called and go round singing and dancing to the patients.

Bareilly Mental Hospital—

No entertainments, games or sports are provided except that on important Hindu and Muslim festivals, special diet of puree, khir, etc., is given and once a year the Arya orphanage band plays in the hospital and conjurors and singers are provided to entertain the patients.

APPENDIX W.

(See page 73 *supra*.)

*Statement referred to in the answer to starred question No. 265.
for December 17, 1927.*

Number of persons against whom proceedings under section 107, Criminal Procedure Cod., were taken in tahsils Atrauli and Sikandra Rao, in the Aligarh district, in 1925, 1926, and 1927:—

	1925.	1926.	1927.
Atrauli	7	...	64
Sikandra Rao	8	12	67

APPENDIX X.

(See page 91 *supra*)

To

HIS EXCELLENCY THE GOVERNOR,

ACTING WITH HIS MINISTER IN THE LOCAL SELF-GOVERNMENT,
UNITED PROVINCES, LUCKNOW.

THROUGH THE COLLECTOR, Bijnor.

The humble petition of the
residents of the Najibabad municipality.

MOST RESPECTFULLY SHEWETH :—

1. That the municipal board of Najibabad is constituted of ten elected and two nominated members. Of the ten elected members six are Mohaimmadaus and four Hindus.

2. That the chairman of the board at present is one Sheikh Safdar Husain. Unfortunately, the chairman and the board at this time mean the same thing, for the chairman has managed to get into the board two of his real brothers, S. Villayet Husain and H. Ahmad Husain, two others, who are their partners in business, M. Zubaid Khan and M. Ellahi Bux, and one more, Mir Ale Hasan, who by executing a promissory note worth Rs. 5,000 without consideration in favour of the chairman has secured his own private interests and thereby has also ensured uniform support to the chairman. Thus the chairman has got six out of the twelve votes including his own, besides his casting vote as chairman and always commands majority.

3. That it is evident from the fact just stated that the chairman now wields very large powers which he uses to advance his own interests. He exercises his rights in an arbitrary and despotic manner setting at naught the public interest.

4. That the chairman's landed property including his residential house does not exceed an estimated value of Rs. 15,000 and the whole of this has been mortgaged to R. S. Sahu Bisheshwar Nath of Nagina for Rs. 12,000 under a registered deed. That in addition to this he is indebted to the amount of Rs. 40,000, which has been secured from time to time from the citizens of Najibabad by putting undue pressure on them in his capacity as chairman.

5. That public money is squandered and illegal gains made by him in various ways such as taking contracts for himself in the name of others, giving them to his favourites as will be evident from the dilapidated condition of the roads and the backward condition of the sanitation of the municipality, and allowing encroachments on nazul lands as will be evident from the complaints made about it and orders passed by the district magistrate thereon.

6. That since 1919 when he came to power the municipal administration has been conducted in a very unsatisfactory manner. Complaints regarding unjust assessment, lighting, watering of roads, their

repairs, sanitation of the town and construction of unnecessary works causing waste of public money have been made from time to time to the collector, the commissioner and the Hon'ble the Minister for Local Self-Government. Things still stand as they were in spite of representations made, and the municipal affairs are in a hopeless condition.

7. That the citizens were hoping that the miseries of the last six years would come to an end this year at the coming election. But the chairman by a manipulation of the assessment list and various other devices has fortified his position and made his own as well as his party's election to the board certain.

8. That the devices and manipulations referred to above consist of the following:—

(a) Notice of demand form IV under section 168 was not issued to the Mohammadans in order to deprive them of their right to vote while they were issued to the Hindus as his interest was not at stake with them.

(b) Special care has been taken to reduce the number of Mohammadan voters, as out of a population of about ten thousand Mohammadans and in such a flourishing and busy town as Najibabad only 22 persons have been enrolled on the Muslim Electoral Roll as electors in the capacity of owners or occupiers of a house or building of a minimum annual value of Rs. 36.

(c) The register required to be maintained under Municipal Election Rule no. 4 (1) (V) showing the names of owners or occupiers of buildings or houses of minimum annual value of Rs. 36 has not been prepared to deprive them from exercising their right to vote.

(d) The taxes were refused to accept from many of the Mohammadan tax-payers before the due date entitling to vote in order to make them defaulters in the interest of his own election.

9. That the following changes have recently been made in the matter of Mohammadan assessment in accordance with his usual practice before election time:—

(a) The reduction of taxes below Rs. 6 (which entitles a tax-payer to vote) in the case of certain rate-payers, without any petition on their part, in order to deprive them of their right to vote at the election.

(b) The addition of names of relatives of independent tax-payers of Rs. 6 or more to the names of the independent tax-payers themselves in order that on the apportionment of the tax to each of the individuals in a group of tax-payers the share of tax on each may fall below Rs. 6 and thus to deprive them of their right to vote.

(c) The assessment of his own men, relatives, friends, outsiders who neither reside in the town nor carry on any business and hired men such as bamboo-cutters and others who are in his service to a tax of Rs. 6 each and paying it out of his own pocket and exempting them after election.

10. That by the devices and manipulations already described the Muslim electoral roll has been so prepared that the names of only 291 voters have been enrolled of whom 180 are such as are not genuine voters, their names having been included in the list to secure votes, and these so-called 180 voters out of 291 are sufficient to enable the chairman to win the election and to defeat all candidates put forward by the public.

11. That in the year 1923 also, the present chairman captured the board by adopting measures similar to the above.

12. That the Revising authority has finished its sitting. It conducted its business with two members only of whom the sub-divisional officer was one and the chairman himself the other. All facts in connexion with the electoral roll have been placed before the authority whose decision has not yet been made fully known to the public.

13. That the public is groaning under the maladministration and high-handedness of the chairman and is entirely disgusted with the ways and methods. There will, therefore, be no limit to popular indignation and resentment, and the civic life is doomed to be a miserable one if he again gets the opportunity of controlling the municipal affairs. That in case section 45(2) of the Municipalities Act stands in the way of his re-election, it is a settled fact that he would get his brother elected as chairman which means the same thing if he himself were elected for their interests are identical.

14. That to end such a state of things Your Excellency's intervention is absolutely necessary.

15. That in conclusion your humble petitioners earnestly beg to pray—

- (a) that the election be postponed till a later date as March, 1926 ;
- (b) that the electoral roll be revised and corrected after necessary investigations ;
- (c) that the chairman, Shaikh Safdar Husain, and the members of his party, who have so flagrantly abused their position as members of the board that their continuance as members is highly detrimental to the public interest, be removed under section 40 (3) of the United Provinces Municipalities Act, 1916 ;
- (d) that Your Excellency's humble petitioners request that any other action which the Local Government deems fit to safeguard the public interest may be taken at an early date.

16. That Your Excellency's humble petitioners have every hope that their humble prayer will receive Your Excellency's due and kind consideration.

And Your Excellency's humble petitioners shall, as in duty bound, ever pray.

NAJIBABAD :
October 29, 1925.

APPENDIX Y.

(See page 93 supra.)

Statement referred to in the answer to starred question No. 319 for the Council meeting of December 17, 1927.

United Provinces Civil Service Executive branch.

(i), (ii), and (iv). For the competitive examination of 1926 it was announced that two non-Muslims and one Muslim would be taken as a result of the examination. Actually three non-Muslims and one Muslim were declared as eligible for appointment, because two of the non-Muslim candidates tried for the second position.

(iii) The honourable member is referred to the answer given to parts (a) and (b) of the question.

United Provinces Civil Service Judicial branch.

(i) and (iv). Fifteen candidates were selected, ten non-Muslims and five Muslims.

(ii) No proportion was announced.

(iii) Does not arise.

United Provinces Police Service.

(i) Two.

(ii) No proportion was announced.

(iii) Does not arise.

(iv) Two: one non-Muslim and one Muslim.

United Provinces Engineering Service, Irrigation branch.

(i) Two.

(ii) No proportion was announced.

(iii) Does not arise.

(iv) Two: one non-Muslim and one Muslim.

United Provinces Educational Service.

(i) None.

(ii) and (iii) Do not arise.

(iv) One non-Muslim.

United Provinces Agricultural Service.

(i) Four posts have been advertised, but appointments have not yet been made to these posts.

(ii) No proportion has been fixed.

(iii) Does not arise.

(iv) One non-Muslim.

Assistant Registrars of Co-operative Societies.

(i) Three.

(ii) It was announced that two non-Muslims and one Muslim would be appointed.

(iii) The honourable member is referred to the answer given to parts (a) and (b) of the question.

(iv) Three: two non-Muslims and one Muslim

APPENDIX Z.
(See page 96 *supra*).
(Statement referred to in the answer to starred question No. 357 for December 17, 1927.)

Serial number.	Name.	Caste.	Amount of land revenue paid.		Amount of income-tax paid.	Educational qualifications.	Remarks.
			4	5			
1	2	3	4	5	6	7	
1	Rai Sahib Lala Kedar Nath	Vaish	Rs. a. p.	Rs. a. p.	Entrance examination.		
2	Rai Sahib Seth Phul Chand	Jaini (Parwar)	..	150 0 0	Ditto		
3	Thakur Pragi Singh	Vaish. Chauhan Thakur..	1,200 0 0	125 0 0	Knows Urdu and Hindi.	* Out of which Rs. 300 is the annual grant of the Government for his good services.	
4	M. Fida Ali Khan	Musalman Pathan	*500 0 0	..	Knows Farsi, Urdu, and Hindi.	* Held jointly with his son.	
5	Seth Beni Chand	Vaish (Gujrati) ..	*3,000 0 0	..	Studied up to Matric. Knows Urdu, Hindi, and Gujarati.		
6	Babu Baldeo Prasad	Kayastha	700 0 0	170 0 0	Knows Urdu and Hindi well. Studied English up to the Middle class.		
7	M. Muhammad Ali Husain Kha.	Musalman	516 0 0	..	Knows Farsi and Urdu.	* Held jointly with his brother.	
8	Babu Kesho Prasad	Vaish (Rastogi) .	*24,000 0 0	152 8 0	Knows Urdu and Hindi well and a little English		
9	Babu Partap Narain	Ditto	4,500 0 0	125 0 0	Knows Urdu, Hindi, and Sanskrit. Studied English up to X class.		

Banda district.

Serial no.	Name.	Caste.	Amount of land revenue paid.	Amount of income-tax paid.	Educational qualifica- tions.	Remarks.
1	2	3	4	5	6	7
			Rs. a. p.	Rs. a. p.		
10	Subedar Rustam Khan ..	Musalman	10 0 0	..	Urdu and Hindi.	Life Magistrate.
11	Sheikh Parwaiz Ali ..	Ditto	978 6 6	..	Ditto.	
12	Subedar Major Gokul Prasad ..	Brahman	350 0 0	..	Knows Hindi only.	
13	Subedar Sheo Lochan Singh.	Thakur	200 0 0	..	Ditto	
14	Pandit Onkar Nath Misra ..	Brahman	500 0 0	..	Studied up to S. L. C. class.	
15	Babu Sheo Shanker Lal ..	Kayastha	*3,903 8 0	..	Studied up to Entrance class.	* Held jointly with his brother.
16	Lala Kandhai Lal ..	Vaish	..	185 0 0	Can read and write Hindi well.	
17	Pandit Harbans Prasad ..	Brahman	*13,509 10 3	1,052 7 0	Agriculture Examination of Cawnpore College. English up to Matriculation.	* Held jointly with his brother.
18	Pandit Jagjit Singh ..	Ditto.	2,300 0 0	..	Knows Hindi, Urdu well and English a little.	
19	Rai Bahadur Thakur Jaswant Singh.	Rajput Thakur ..	15,000 0 0	..	Has passed no examination but his knowledge of English is not less than that of a graduate.	
20	Rai Sahib Pandit Nand Kishore Sharma.	Brahman	10 0 0	180 0 0	Entrance examination. School Final Examination. Diplomate in Agriculture.	

21	Mahant Chatur Bhuj Das, Bench Magistrate.	Bairagi	3,117 0 0	Nil	..	Hindi-knowing ..	Including payable Rs. 2,444, nominal Rs. 673.
22	Pandit Laxman Prasad Pathak, Bench Magistrate.	Brahman	69 0 0	"	..	Ditto	Includes payable Rs. 11, nominal Rs. 58.
23	Diwan Balwant Singh, Special Magistrate.	Thakur	466 0 0	"	..	Hindi-knowing and also knows some English.	
24	Captain Gokul Prasad Tiwari, Bench Magistrate.	Brahman	76 6 3	51 0 0	0	L.M.S.	
25	Lala Bhagwandin, Bench Magistrate.	Vaish	449 0 0	830 0 0	0	Hindi-knowing ..	
26	Mir Sabir Husain, Bench Magistrate.	Musalman	1,317 4 2	Nil	..	Urdu-knowing ..	
27	Pandit Balaji Madho Langhate, Special Magistrate.	Brahman Dakhni.	862 0 0	"	..	B. A.	He is the head of joint Hindu family paying Rs. 1,724 as annual land revenue.
28	Rai Sahib Babu Kanh Kunwar, Bench Magistrate.	Kayasth	747 0 0	99 10 0	0	Entrance	Income-tax is assessed on the joint income of Rai Sahib and his son Babu Kamta Nath Vakil and is paid jointly.
29	Pandit Lachhmi Prasad Pathak, Bench Magistrate.	Brahman	441 13 1	Nil	..	Ditto	
30	Lala Mathura Prasad Vaish, Bench Magistrate.	Vaish	95 0 0	55 15 0	0	Hindi-knowing ..	Income-tax is assessed on the joint income from shop owned by Lala Mathura Prasad and his nephew Lala Gobardhan Das and is paid jointly.
31	Seth Himmat Ram, Bench Magistrate.	Vaish (Matheshri).	Nil	Nil	..	Hindi-knowing ..	
32	Pandit Govind Rao, Bench Magistrate.	Brahman Dakhni.	923 10 9	"	..	Hindi and Urdu (Middle)	He is jagirdar of the district.
33	Rao Udai Bir Singh, Special Magistrate.	Thakur	4,946 3 4	..	..	Hindi and Urdu-knowing.	
34	Pandit Karan Singh Katara, Special Magistrate.	Brahman	..	93 12 0	0	Matriculation ..	He is kamdar of Rampura estate and Manager, Court of Wards.
35	Rai Sahib Babu Tribeni Sahai, Special Magistrate.	Kayasth	..	300 0 0	0	Retired Deputy Collector.	He is a retired Deputy Collector, now Manager of Jagammanpur Estate.

Jalau district.

Serial no.	Name.	Caste.	Amount of land revenue paid.	Amount of Income-tax paid.	Educational qualifications.	Remarks.
1	2	3	4	5	6	7
86	Khan Sahib Saiyid Muhammad Ismail.	Sayed ..	Rs. a. p. 2,704 5 3	Rs. a. p. Nil.	Anglo-Vernacular Middle class. Pleader.	
87	Lala Ram Nath ..	Vaish ..	3,000 0 0	62 0 0	Hindi and a little Urdu.	
88	Babu Madganjan Sahai	Kayastha ..	Nil	Nil	Entrance passed. Is a retired Office Superintendent, and gets Rs. 94-12 as pension.	
39	M. Shaukat Ullah Khan	Pathan ..	1,500 0 0	Nil	Urdu, English, and Hindi.	
40	Dewan Partab Singh..	Thakur ..	1,789 0 0	78 0 0	Urdu and Hindi.	
41	Seth Kanhaiya Lal ..	Vaish Marwari ..	1,950 0 0	74 4 0	Ditto.	
42	Thakur Bijai Bahadur Singh.	Thakur ..	3,500 0 0	Nil	Ditto.	
43	Seth Jugal Kishore ..	Vaish : Agraval ..	82 0 0	2,539 2 0	Hindi.	
44	Rai Bahadur Babur Dina Nath.	Gadaria : Rajpali ..	..	100 9 0	Read up to Entrance class.	
45	Seth Milap Chand ..	Vaish : Marwari Oswal	10,000 0 0 (about)	278 12 0	Read English up to IV class but has also studied at home.	
46	Rai Saheb Chhajju Singh.	Jangida, Brahman ..	12 0 0	304 0 0	Passed English Middle examination.	He says he is Jangida Brahman. In the last census Jangida Brahman were not classified as Brahmans but as other classes.

Hamirpur district.

Jhansi Bench.

47	Syed Mohammad Yakub	Shiah (Muslim)	..	..	54	0	0	Entrance passed.		
48	Hakim Mohd. Ilias ..	Sheikh Siddiqi (Muslim).	..	..	..			Fazil Kamil (in Hikmat) well versed in Urdu, Persian and Arabic. Knows English a little.	His source of income is the rent of a bungalow (Rs. 40) and his professional income (about Rs. 100) as a Hakim.	
49	Seth Panna Lal	Vaish (Parwar)	..	..	287	8	0	Knows Hindi and Sanskrit		
50	Chauhan Ram Bharse	Brahmin	..	1,112 5 0	..			Knows Hindi.		
51	Hafiz Shabbir Ali ..	Sheikh (Muslim)	..	..	..			Vernacular Middle	His source of income is contracts in municipal and district boards and also repairs to Government buildings.	
52	Rao Debi Singh	Thakur Bundela	..	1,815 3 0	..			Knows Urdu and Hindi : knows English a little.		
53	Rao Bahadur Divan Bijay Bahadur Raghubir Singh.	Ditto	..	963 4 1	..			Private education in Sanskrit, Urdu and Hindi.		
54	Rai Saheb Pandit Nanhur Prasad.	Brahman	..	* 300 0 0	..			Studied up to VIII class of High School : knows Hindi and Urdu.	*(But total revenue paid by himself, his sons and brother's widows who all live jointly, is Rs. 4,800.)	
55	Raja Bijay Bahadur Singh Bahadur.	Thakur Bundela	..	3,187 15 0	..			Knows English, Urdu and Hindi.	(Also holds muafi in 6 villages).	
56	Rai Saheb Seth Ganga Prasad.	Vaish	..	..	1,090	0	0	Muria		

Other Honorary Magistrates.

APPENDIX AA.

(See page 101 *supra*.)

Statement referred to in answer to starred question No. 363, asked by Khan Bahadur HAFIZ HIDAYAT HUSAIN SAHIB, on December 17, 1927.

Enrolment figures for March 31, 1927.*Boys' Schools.*

Enrolment in boards' primary and preparatory schools ...	919,411
Number of Muhammadan boys included in the above ...	100,260
Ditto ditto in Islamia schools ...	25,166
Ditto ditto in maktabas ...	67,463
Enrolment in depressed class schools ...	22,926

Expenditure figures for 1926-27.*Boys' Schools.*

<i>Class of school.</i>	<i>Total expenditure thereon.</i>	
	Rs.	
1. Boards primary and preparatory schools...	...	70,63,987
2. Aided primary and preparatory schools	7,49,714
3. Islamia schools	2,58,570
4. Aided maktabas	1,75,657

APPENDIX BB.

(See page 104 *supra*.)

Unstarred question No. 6 for December 17, 1927.

(PANDIT BHAGWAT NARAYAN BHARGAVA SAHIB.)

Year.	Jalaun (Kunch Municipality).				Jhausi municipality.			
	First defaulters.		Subsequent defaulters.		First defaulters.		Subsequent defaulters.	
	Smallest fine.	Highest fine.	Smallest fine.	Highest fine.	Smallest fine.	Highest fine.	Smallest fine.	Highest fine.
	Rs. a. p.	Rs.	Rs. a. p.	Rs.	Rs. a. p.	Rs.	Rs. a. p.	Rs.
1926 ..	0 8 0	5	..	..	..	..	..	..
1927 ..	0 2 0	2	0 4 0	8	0 4 0	2	0 8 0	1

APPENDIX CC.

(See page 107 *supra*.)

*Statement referred to in answer to unstarred question No. 22 asked by
CHAUDHRI DHARAMVIR SINGH SAHIB, on December 17, 1927.*

Name of University.	Number of readers.	Total amount of salaries per mensem.	Highest salary.
		Rs.	Rs.
Allahabad	18	11,571	983 per mensem.
Lucknow	29	17,020	1,150 „

LEGISLATIVE COUNCIL

UNITED PROVINCES OF AGRA AND OUDH.

Monday, December 19, 1927.

THE Council met in the Council House Lucknow, at 11 A.M. The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT : 108.

The Hon'ble Sir Sam O'Donnell.
 The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
 The Hon'ble Rai Rajeshwar Bali.
 The Hon'ble Thakur Rajendra Singh.
 The Hon'ble Nawab Muhammad Yusuf.
 Kunwar Jagdish Prasad.
 Mr. E. A. H. Blunt.
 Mr. Panna Lal.
 Sir Ivo Elliott.
 Mr. J. H. Darwin.
 Mr. H. A. Lane.
 Mr. R. L. Yorke.
 Mr. A. W. Pim.
 Mr. A. W. McNair.
 Khan Bahadur Chaudhri Wajid Husain.
 Mr. E. L. Norton.
 Mr. F. F. R. Channer.
 Mr. R. J. S. Dodd.
 Colonel R. F. Baird.
 Mr. A. H. Mackenzie.
 Mr. G. Clarke.
 Mirza Muhammad Sajjad Ali Khan.
 Khan Bahadur Mr. Masud-ul-Hasan.
 Mr. H. C. Desanges.
 Mr. B. Ahmad Shah.
 Babu Rama Charana.
 Sri Ganesh Shankar Vidyarthi.
 Mr. A. P. Dube.
 Pandit Rahas Bihari Tiwari.
 Babu Chhail Bihari Capoor.
 Babu Bhagwati Sahai Bedar.
 Thakur Manjit Singh Rathor.
 Chaudhri Mangat Singh.
 Rai Bahadur Lala Jagdish Prasad.
 Pandit Nanak Chand.
 Thakur Manak Singh.
 Thakur Pratap Bhan Singh.
 Thakur Bikram Singh.
 Thakur Hukum Singh.
 Raja Kushal Pal Singh.
 Thakur Gulab Singh.
 Rao Krishna Pal Singh.
 Lieut. Raja Kali Charan Misra
 Lala Nemi Saran.
 Chaudhri Badan Singh.
 Ra' Sahib Kunwar Sardar Singh.
 Pandit Sadho Singh.
 Pandit Brijnandan Prasad Misra.
 Pandit Bhagwat Narayan Bhargava.
 Thakur Har Prasad Singh.
 Babu Kishori Prasad.
 Pandit Mulchand Dube.
 Pandit Devata Prasad.
 Babu Shyam Lal.
 Babu Uma Shankar.
 Pandit Venkatesh Narayan Tivary.

Babu Kavendra Narayan Singh.
 Pandit Shri Sadayatan Pande.
 Raja Sri Krishna Dutt Dube.
 Thakur Shiva Shankar Singh.
 Rai Bahadur Thakur Hanuman Singh.
 Rai Bahadur Babu Abhainandan Prasad.
 Raja Indrajit Pratap Bahadur Sahi.
 Bhaya Hanumat Prasad Singh.
 Babu Ganga Prasad Roy.
 Pandit Govind Ballabh Pant.
 Pandit Badri Dutt Pande.
 Mr. Mukandi Lal.
 Sirdar Nihal Singh.
 Rai Bahadur Chaudhri Jagannath Prasad.
 Rai Bahadur Babu Mohan Lal.
 Babu Mahendra Deva Varma, *alias* Lalji.
 Raja Raghuraj Singh.
 Maharaj Kunwar Major Mahijit Singh.
 Kunwar Surendra Pratap Sahi.
 Mr. C. Y. Chintamani.
 Haji Abdul Qayum.
 Mr. Muhammad Abdul Bari.
 Maulvi Zahur-ud-din
 Khan Bahadur Shaikh Zia-ul-Haq.
 Lieut. Nawab Muhammad Jamshed Ali Khan
 Nawabzada Muhammad Liaqat Ali Khan.
 Hafiz Muhammad Ibrahim.
 Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.
 Maulvi Muhammad Obaid-ur-Rahman Khan.
 Shaikh Abdullah.
 Khan Bahadur Hafiz Hidayat Hussain.
 Maulvi Saiyid Habib-ullah.
 Khan Bahadur Shah Badre Alam.
 Shaikh Ghulam Hussain.
 Dr. Hafiz Ahmad Khan.
 Khan Bahadur Saiyid Jafer Hosain.
 Khan Bahadur Shaikh Saiyid Muhammad, *alias* Maiku Mian.
 Khan Bahadur Hakim Mahbub Ali Khan.
 Khan Bahadur Maulvi Fasih-ud-din.
 Khwaja Khalil Ahmad Shah.
 Shaikh Muhammad Habib-ullah.
 Mr. Muhammad Habib.
 Mr. St. George H. S. Jackson.
 Rai Bahadur Lala Bihari Lal.
 Rai Bahadur Lala Mathura Prasad Mehrotra.
 Raja Shambhu Dayal.
 Kunwar Bisheshwar Dayal Seth.
 Raja Jagannath Bakhsh Singh.
 Mr. E. M. Souter.
 Mr. J. P. Srivastava.
 Rai Bahadur Babu Vikramajit Singh.
 Pandit Iqbal Narayan Gurtu.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

**OFFICERS GETTING A MONTHLY SALARY OF LESS THAN RS. 5,000,
BUT NOT LESS THAN RS. 1,000.**

*** 1. Chaudhri Dharamvir Singh:** Will the Government be pleased to supply the following information about officers in the pay of the British Government and serving in the United Provinces each of whom receives a monthly salary of less than Rs. 5,000, but not less than Rs. 1,000?—

(1) their number;

(2) the total amount of expenditure incurred by the Government on account of their combined monthly salaries each month; and

(3) the total amount of allowances and honoraria paid to these officers in the year ending March 31, 1927?

The Hon'ble Sir Sam O'Donnell: The honourable member is referred to the Civil List.

PAY OF PROCESS-SERVERS.

*** 2. Chaudhri Dharamvir Singh:** What are the rates of monthly salaries of the process-serving peons—

(a) in the province of Agra, and

(b) in the province of Oudh?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) Rupees 10-8, and 9 per mensem.

(b) Rupees 13, Rs. 10-8 and Rs. 9 per mensem.

COUNTRY LIQUOR SHOPS AT GHAZIABAD.

*** 3. Chaudhri Dharamvir Singh:** What is the number of country liquor shops at Ghaziabad at present? Is there any place at Ghaziabad where foreign liquor can be had? If so, what is that place?

The Hon'ble Thakur Rajendra Singh: The number of country spirit shops in Ghaziabad municipality is two. The railway caterers at the station hold an "off" foreign liquor licence in addition to their railway refreshment room licence.

*** 4. Chaudhri Dharamvir Singh:** With reference to answer to starred question No. 258 of November 3, 1927, what decision has been arrived at with regard to the proposed liquor shop at Ghaziabad?

The Hon'ble Thakur Rajendra Singh: The Excise Commissioner is about to issue orders.

ABDULLA KHAN, CIVIL POLICE CONSTABLE OF LUCKNOW.

*** 5. Chaudhri Dharamvir Singh:** If the answer to starred question No. 274, listed for November 3, 1927, but postponed, be in the affirmative, will the Government be pleased to state the principles—

(a) on which enlistment of the said Abdulla Khan as a Chaman was refused;

(b) on which he as a Muslim was subsequently admitted?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The honourable member is referred to the answer to starred question No. 181 of December 17, 1927.

* 6. **Khan Bahadur Shaikh Saiyid Muhammad :** [*Postponed at the request of Government till December 21, 1927.*]

COMMUNAL RIOTS.

* 7. **Khan Bahadur Shaikh Saiyid Muhammad :** (a) Will the Government be pleased to state what steps they have taken to check communal riots in these provinces ?

(b) Will the Government be further pleased to state if they have got any intention of forming unity boards in every district under the chairmanship of the district magistrate with a large representation of Muslim and Hindu non-officials on such boards to counteract the influence of communalistic propaganda in the same way as they formed Aman Sabhas to combat the forces of non-co-operation ?

(c) If the Government are unwilling to do so, will they give their reasons for not forming such unity boards ?

(d) If the Government intend formulating any scheme, will they state when are they going to launch their scheme in these provinces to check the nefarious influences of communalistic propaganda ?

The Hon'ble Sir Sam O'Donnell : (a) Government are taking, and will continue to take, all possible measures to prevent the occurrence of communal disturbances.

(b), (c), and (d) No. But, no officer of this Government will neglect any reasonable opportunity of co-ordinating and consolidating all good influence at work, and of assisting any genuine non-official movements for the amelioration of communal relations. Past experience and comparatively recent inquiry, however, do not indicate that permanent and formal conciliation boards or committees are likely to be effective.

Khan Bahadur Maulvi Fasih-ud-din : Has Government succeeded in those measures of reconciliation to any appreciable extent ?

The Hon'ble Sir Sam O'Donnell : I think that in a great many places trouble has been averted by the efforts of the district officer.

Babu Chhail Bihari Capoor : Has Government tried conciliation boards anywhere ?

The Hon'ble Sir Sam O'Donnell : The attempt was made in 1915 and it was a failure.

Babu Chhail Bihari Capoor : Has Government any objection to trying again ?

The Hon'ble Sir Sam O'Donnell : I have said that conciliation boards were a failure. *Ad hoc* committees have been much more useful.

Babu Chhail Bihari Capoor : What is the objection to trying permanent boards ?

The Hon'ble Sir Sam O'Donnell : They were tried and failed.

EMPLOYEES IN THE GOVERNMENT PRESS, ALLAHABAD.

* 8. **Babu Kishori Prasad** : Will the Government be pleased to state how many hands there are in the Government Press, Allahabad, and how many of them are Hindus ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Total number of hands employed 1,342.

Number of Hindus employed 459.

* 9. **Babu Kishori Prasad** : How many hands are in the superior grade and how many in the inferior and what is the number of Hindus, and Muslims and others in each of these grades ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A statement is laid on the table.

(See Appendix A page 270.)

* 10 to 14. **Mr. H. C. Desanges** : [*Postponed at the request of Government till the first day of the next meeting*]

INDIAN CIVIL SERVICE EXAMINATION.

* 15. **Mr. H. C. Desanges** : Is it a fact that an Anglo-Indian, who is an M. A. and a member of the A. F. I. has competed for the I. C. S. examination, and is otherwise qualified, has been passed over and preference given to a Burman ? What are the qualifications of the latter ?

The Hon'ble Sir Sam O'Donnell : Government have no information. The last Indian Civil Service examination was conducted by the Public Service Commission.

Mr. H. C. Desanges : Will Government kindly obtain the information ?

The Hon'ble Sir Sam O'Donnell : I do not see that there is any point in doing that. We have nothing to do with it.

FOREIGN SCHOLARSHIPS FOR VETERINARY TRAINING.

* 16. (a) **Thakur Manjit Singh Rathor** : Will the Government be pleased to state the names of the gentlemen who have during the last six years received foreign scholarships for veterinary training from the United Provinces Government ?

(b) What is the amount of money spent on each scholar ?

(c) Where have the returned scholars been provided for and on what pay ?

(d) Is it a fact that some scholars on which the Government spent considerable money on foreign scholarship for veterinary science have not been provided with any job on return to India ?

(e) What are the names of such gentlemen ?

(f) What are the reasons for which their services have not been availed ?

(g) Will the Government be pleased to consider the claims of such scholars ?

The Hon'ble Thakur Rajendra Singh : (a) No such scholarships were awarded before 1927. In the current year scholarships were awarded to Babu Lakshmi Sahai and Saiyid Masum Hassan.

(b) Rupees 2,000 each in the current year, with free passages to England, costing each Rs. 758-3.

(c) They are still in England.

(d) No.

(e), (f) and (g) Do not arise.

MOTOR ROAD, MUSSOORIE.

* 17. (a) **Thakur Manjit Singh Rathor :** What progress has the Mussoorie motor road made in 1926-27 ?

(b) When is the road likely to be completed and open for public use ?

(c) Have the Government received any resolution from the City Board, Mussoorie, on this subject ?

(d) Will the Government be pleased to place a copy of the resolution, together with its reply, before the Council ?

The Hon'ble Nawab Muhammad Yusuf : (a) and (b) The honourable member is referred to the answer given to question No. 89 of November 3, 1927.

(c) Yes.

(d) A copy of the resolution is appended ; it does not require a reply.

(See Appendix B, page 270.)

* 18. (a) **Thakur Manjit Singh Rathor :** Is it a fact that the Government received a contribution of one lakh of rupees from the City Board, Mussoorie, towards the cost of the construction of the Mussoorie motor road ?

(b) When was this money received ?

(c) What is the interest per annum which the city board is receiving for this amount ?

(d) What is the total amount of money which the construction of the road will now cost ?

The Hon'ble Nawab Muhammad Yusuf : (a) and (b) The honourable member is referred to the answer given to question No. 15 of July 5, 1926.

(c) No interest is being paid to city the board.

(d) Rupees 13,29,548.

* 19. **Thakur Manjit Singh Rathor :** Have the Government made provision for the amount in the next annual Budget ?

The Hon'ble Nawab Muhammad Yusuf : Government cannot anticipate the Budget statement.

GHANANAND MEMORIAL HIGH SCHOOL.

* 20. **Thakur Manjit Singh Rathor :** Is it a fact that the managing committee of the Ghananand Memorial High School has been registered ?

The Hon'ble Rai Rajeshwar Bali : Yes.

MUSSOORIE HIGH SCHOOL.

* 21. **Thakur Manjit Singh Rathor** : Have the Government made provision for a suitable grant for the Mussoorie High School in the coming Budget ?

The Hon'ble Rai Rajeshwar Bali : No.

* 22. **Thakur Manjit Singh Rathor** : Will the Educational department of the United Provinces help the Mussoorie citizens in the establishment of the above Indian High School ?

The Hon'ble Rai Rajeshwar Bali : Yes, when the conditions prescribed by the Education department have been fulfilled.

" RAMLILA " PROCESSION AT DEHRA DUN.

* 23. **Thakur Manjit Singh Rathor** : Is it a fact that the *Ramlila* procession of September 28, at Dehra Dun, was about half-an-hour ahead of the prayer time when it was attacked at the Dhamawallah mosque ?

* 24. What action have the Government taken against those who brought about a breach of peace by attacking a religious procession ?

The Hon'ble Sir Sam O'Donnell : Government are unable to make any statement as a number of cases connected with these riots are pending in court.

PASSPORT TO MAULANA HASRAT MOHANI OF CAWNPORE.

* 25. **Thakur Manjit Singh Rathor** [*Asked by LALA NEMI SARAN in the absence of the questioner*] : (a) Has Maulana Hasrat Mohani, of Cawnpore, applied for a passport to proceed abroad ?

(b) Have the Government issued him a passport ?

(c) If not, when do they intend to issue one ?

The Hon'ble Sir Sam O'Donnell : (a) Yes. He applied for a passport to proceed to Moscow last October.

(b) No.

(c) They do not intend to issue a passport.

Lala Nemi Saran : Why ?

The Hon'ble Sir Sam O'Donnell : Applications for passports are dealt with under orders which are confidential.

* 26. **Thakur Manjit Singh Rathor** [*Asked by LALA NEMI SARAN in the absence of the questioner*] : Is it a fact that Chaudhri Badan Singh, M.L.C., of Budaun, was served with orders under section 144, to desist from making any speech in the districts of Aligarh and Etah ?

The Hon'ble Sir Sam O'Donnell : Yes.

* 27. **Thakur Manjit Singh Rathor** [*Asked by LALA NEMI SARAN in the absence of the questioner*] : On what grounds were these restrictions imposed ?

The Hon'ble Sir Sam O'Donnell : On the ground that a breach of the peace was apprehended.

* 28. **Thakur Manjit Singh Rathor** [*Asked by LALA NEMI SARAN in the absence of the questioner*]: Is it also a fact that he was also ordered not to attend or convene any meetings. :

The Hon'ble Sir Sam O'Donnell : Yes.

* 29 **Thakur Manjit Singh Rathor** [*Asked by LALA NEMI SARAN in the absence of the questioner*]: Is it a fact that Chaudhri Badan Singh contends that the object of his propaganda is merely to explain and elucidate to the tenants the provisions of the Agra Tenancy legislation ?

The Hon'ble Sir Sam O'Donnell : Government understand that Chaudhri Badan Singh's contention is as stated in the question.

* 30. **Thakur Manjit Singh Rathor** [*Asked by LALA NEMI SARAN in the absence of the questioner*]: Is there any objection to the leaders of the tenant movement to explain to the general public the purport and provisions of the Tenancy Law ?

The Hon'ble Sir Sam. O'Donnell : There is no objection so long as the law is not transgressed.

* 31. **Thakur Manjit Singh Rathor** [*Asked by LALA NEMI SARAN in the absence of the questioner*]: Did the local authorities consult the provincial Government before serving the notice on an honourable member of the Council ? Do Government approve of the action of the local authorities ?

The Hon'ble Sir Sam O'Donnell : No.

Lala Nemi Saran : May I know from whom the Government came to know that there was likelihood of a breach of the peace ?

The Hon'ble Sir Sam O'Donnell : The district magistrate came to that conclusion, and that was the reason for the order.

Lala Nemi Saran : What were the reasons which led the district magistrate to come to this conclusion ?

The Hon'ble Sir Sam O'Donnell : Observation of the effect of Chaudhri Badan Singh's speeches.

Lala Nemi Saran : Inaudible.

The Hon'ble Sir Sam O'Donnell : No actual breach of the peace occurred—the order was passed in order to prevent one occurring.

Lala Nemi Saran : Inaudible.

The Hon'ble Sir Sam. O'Donnell : No. I have already explained that there is no objection whatever provided the law is not transgressed.

Lala Nemi Saran : Does that order still hold good ?

The Hon'ble Sir Sam O'Donnell : There is no special order. The general statement I have made applies all round.

Lala Nemi Saran : Can he now make a speech ?

The Hon'ble Sir Sam, O'Donnell : I have already stated that there is no objection so long as the law is not transgressed. I cannot go further than that.

Lala Nemi Saran : Is it a fact that there was an order under section 144 that he was not to go there and deliver a speech ?

The Hon'ble Sir Sam O'Donnell : In the particular circumstances and at that particular time.

Lala Nemi Saran : How long the order would be in force ?

The Hon'ble Sir Sam O'Donnell : I think an order under section 144 would be in force for two months.

Mr. A P. Dube : Had any breach of the peace taken place on account of the speeches ?

The Hon'ble Sir Sam O'Donnell : It was known that the Ahirs were in a state of considerable tension, and that the speeches delivered by Chaudhri Badan Singh had increased the tension and there was likely to be a breach of the peace.

Lala Nemi Saran : Was Chaudhri Badan Singh given an opportunity to show cause against that order ?

The Hon'ble Sir Sam O'Donnell : I do not know. I suppose the order was served on him.

Lala Nemi Saran : Did the Collector manage to have an interview with the gentleman concerned ?

The Hon'ble Sir Sam O'Donnell : I believe that the Collector wrote to him twice explaining to him what the position was, and suggesting to him that he should refrain from making speeches for the present.

Lala Nemi Saran : Were any notes of the speeches taken ?

The Hon'ble Sir Sam O'Donnell : That I couldn't say.

Lala Nemi Saran : Can those speeches be laid on the table ?

The Hon'ble Sir Sam O'Donnell : I do not know whether any notes were taken.

Lala Nemi Saran : How did the district magistrate come to the conclusion that the speeches were offensive ?

The Hon'ble Sir Sam O'Donnell : The district magistrate has his usual means of information.

Lala Nemi Saran : Without any notes of the speeches ?

The Hon'ble Sir Sam O'Donnell : It was well known what the general tenour of the speeches was.

Pandit Iqbal Narayan Gurtu : Is it a fact that even attendance of Chaudhri Badan Singh at meetings is likely to cause a breach of the peace ?

The Hon'ble Sir Sam O'Donnell : Attendance where ? I do not quite follow. The honourable member is attending the Council, and there is no likelihood of a breach of the peace as far as I know.

Pandit Iqbal Narayan Gurtu : I draw the Hon'ble the Finance Member's attention to question No. 28. "Is it also a fact that he was also ordered not to attend or convene any meetings ?" The answer is "Yes." I want to know whether it is a fact that even the attendance of Chaudhri Badan Singh at meetings was considered to be likely to cause a breach of the peace ?

The Hon'ble Sir Sam O'Donnell : I do not know the exact terms of the order under section 144, I have not got it here. I suppose the

idea was that if he attended these meetings he would certainly speak at them.

Mr. A. P. Dube: Is the Government aware that there is feeling against the zamindars in those districts?

The Hon'ble the President: That does not arise.

Mr. C. Y. Chintamani: Did the district magistrate ascertain that Chaudhri Badan Singh would speak at meetings which he would merely attend?

The Hon'ble Sir Sam O'Donnell: I do not know. Really, as I have said, I do not know the exact terms of the order. I have not got it in front of me.

Mr. C. Y. Chintamani: Has the Hon'ble the Finance Member made any specific inquiries regarding the terms of the order and the grounds on which the order was issued?

The Hon'ble Sir Sam O'Donnell: Yes; I inquired regarding the issue of the orders and the reasons for issuing them were given.

Mr. C. Y. Chintamani: Were the reasons given specifically for the orders against his attendance at meetings or his convening meetings?

The Hon'ble Sir Sam O'Donnell: I must ask for notice. I had not paid any particular attention to the wording.

Mr. C. Y. Chintamani: Will the Hon'ble the Finance Member now deem it fit to inquire into these specific matters?

The Hon'ble Sir Sam O'Donnell: If the honourable member will ask for the order it will be placed on the table at the next meeting.

Mr. C. Y. Chintamani: Does the Hon'ble the Finance Member mean that any order under section 144 can be made by the district magistrate as he pleases?

The Hon'ble Sir Sam O'Donnell: Obviously the order is in terms of section 144, and, if it is not covered by section 144, then it will be set aside by the High Court.

Pandit Bhagwat Narayan Bhargava: Why was he prohibited from convening a meeting?

The Hon'ble Sir Sam O'Donnell: Because it was apprehended that it will lead to a breach of the peace.

Pandit Bhagwat Narayan Bhargava: Did the Government understand that by convening a meeting he will certainly speak in that meeting?

The Hon'ble Sir Sam O'Donnell: I should think so. It follows clearly.

Pandit Brijnandan Prasad Misra: Does the Government take any pains to ascertain whether the speeches are offensive?

The Hon'ble Sir Sam O'Donnell: Yes, that was ascertained. It was found by the district magistrate that the speeches which Chaudhri Balan Singh had already delivered had a distinct tendency to inflame feelings.

Pandit Brijnandan Prasad Misra: What was the nature of the agency by which the speeches were reported?

The Hon'ble Sir Sam O'Donnell : That I do not know. All I know is that the district magistrate came to the conclusion that there would be a breach of the peace.

Pandit Brijnandan Prasad Misra : Has the Hon'ble the Finance Member perused the speeches made by Chaudhri Badan Singh?

The Hon'ble Sir Sam O'Donnell : No. I have the misfortune of not reading them.

Mr. C. Y. Chintamani : In what manner has the Hon'ble the Finance Member satisfied himself that these orders were not an abuse of authority under section 144?

The Hon'ble Sir Sam O'Donnell : Inquiries were made from the district officer, and I have no reason to suppose that the district officer's report was not correct.

Mr. C. Y. Chintamani : Is the Council to understand that the Finance Member accepts, as Gospel truth, whatever the district magistrate has reported without satisfying himself by reading the speeches?

The Hon'ble Sir Sam O'Donnell : The report came from the Commissioner.

Mr. C. Y. Chintamani : Then he accepts as Gospel truth whatever the Commissioner has said?

The Hon'ble Sir Sam O'Donnell : I have no reason whatever not to accept the report of the Commissioner as correct.

Mr. C. Y. Chintamani : Government did not satisfy themselves by reading the speeches whether there was any abuse of authority against a member of the Legislative Council?

The Hon'ble Sir Sam O'Donnell : We made inquiries in the ordinary way through the Commissioner in charge of the division and we have received his report. We have not the slightest reason to distrust his report.

Pandit Nanak Chand : Did the Commissioner make any inquiry before submitting his report, or did he act merely as a post office?

No answer was given.

Pandit Bhagwat Narayan Bhargava : Has the Government come to the conclusion that the district magistrate was justified in thinking that Chaudhri Badan Singh had trespassed his order?

The Hon'ble Sir Sam O'Donnell : I have no reason to suppose that the district magistrate's action was not fully justified.

Mr. A. P. Dube : Is the Government in a position to say that any Ahir was consulted in the matter?

The Hon'ble Sir Sam O'Donnell : Why should any Ahir be asked? The honourable member will surely understand what the normal procedure is in such cases. The district magistrate is in charge of the district. He is responsible for law and order. He receives some information about which he is satisfied. He has reason to believe that a breach of the peace is likely to occur and therefore he takes action under the law. Some more members rose to put supplementary questions.

The Hon'ble the President : I think we had better pass on to the next question now.

* 32. **Babu Sampurnanand** : [Postponed at the request of Government till the first day of the next meeting]

RULES FOR CARRIAGE-PARKING AT RAILWAY STATION, BENARÉS

*33. **Babu Sampurnanand** : With reference to the copy of the regulations supplied in reply to my unstarred question No. 1 on June 27 last is Government aware that none of the rules makes any mention of private *ekkas* of which there are a large number in Benares ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The honourable member is referred to the reply given to his starred question No. 222 of November 2, 1927.

" AGRICULTURAL SAYINGS OF THE UNITED PROVINCES,"
BY MR. MEHTA.

* 34. **Babu Sampurnanand** : Has the attention of the Government been drawn to a compilation named " Agricultural Sayings of the United Provinces," by Mr. Mehta, District Magistrate of Benares, containing the sayings current among, and generally followed in practice by, the agricultural population, on agriculture, cattle disease, cattle-breeding, and allied subjects ?

The Hon'ble Thakur Rajendra Singh : Yes.

* 35. **Babu Sampurnanand** : Have any steps been taken to find out if these sayings and others of a similar nature embody scientific truths which may be followed with advantage or based on wrong observations which are calculated to prove injurious ?

The Hon'ble Thakur Rajendra Singh : The proverbs have been examined by the Director of Agriculture. While not subscribing to all, such as, for example, those dealing with meteorological phenomena, he considers the proverbs regarding crops and soils are generally in accordance with known scientific facts and are not based on wrong observations.

" MUHARRAM " RIOTS, BAREILLY.

* 36. (a) **Babu Uma Shankar** : Will the Government be pleased to state the reasons for the issue of the notifications regarding processions in Bareilly during *Muharram* in July, 1927 ?

(b) Will the Government kindly lay a copy of the said notifications on the table ?

(c) Is it a fact that the notifications wanted to control all sorts of processional music ?

(d) Is it a fact that on account of the said notifications the Musalmans of Bareilly abandoned the *Muharram* processions for three days ?

(e) Will the Government be pleased to say if the Bareilly Muhammadans obtained licences to take out the *Muharram* processions after they had resumed *Muharram* celebrations ? If not, why not ?

(f) Will the Government be pleased to state if, while granting licences to Muhammadans, any restrictions similar to those imposed on Hindu marriage processions were imposed on *Muharram* processions ? If not, why not ?

*37. (a) Will the Government be pleased to state the time when the *Muharram* procession on July 10, 1927, passed the Kutubkhana?

(b) Will the Government be pleased to state if it is a fact that the Arya Samaj *mandir* is not along the main road by which the *tazias* were passing?

(c) Is it a fact that the said *mandir* is about a hundred yards from the main road?

(d) Will the Government be pleased to say if the *Muharram* processionists were playing music while passing along the main road by the Hindu temples?

(e) Will the Government be pleased to state if the Arya Samajists had gathered in the Samaj *mandir* to celebrate their usual weekly Sunday meetings.

(f) Is it a fact that the Arya Samajists were singing *bhajans* (religious songs) on the harmonium within the *mandir*?

(g) Is it also a fact that no restrictions or prohibitory orders were issued regarding other religious celebrations within the premises of the temples or Samaj *mandir*?

* 38. (a) Will the Government be pleased to state the number of *Muharram* processionists who had gone to the Samaj *mandir*?

(b) Is it a fact that M. Mumtaz Husain, tahsildar, and Khan Sahib M. Muhammad Shafiq-ul-Hassan, city kotwal, also went to that Samaj *mandir*?

(c) Is it a fact that the tahsildar and the kotwal ascended the *vedi* of the Samaj with their shoes on?

(d) Will the Government be pleased to say if the tahsildar and the city kotwal orally asked the Arya Samajists present in the *mandir* to stop music and *bhajans*?

(e) Will the Government be pleased to say if the Muhammadans had forcibly broken open the gate of the Samaj *mandir* and effected their entrance inside the *mandir*?

(f) Is it a fact that the Arya Samajists demanded a written order prohibiting music and *bhajans* from the kotwal and the tahsildar?

(g) Is it a fact that the tahsildar and the kotwal refused to give a written order to that effect? If so, please give reasons?

* 39. (a) Will the Government be pleased to give the number of the Arya Samajists arrested?

(b) Will the Government be pleased to state under what sections of Indian Penal Code were they arrested and challaned?

(c) Will the Government be pleased to state why the arrested persons were not let off on bail by the police on the day of arrest?

(d) Will the Government be pleased to say how many days the arrested persons were under lock up?

(e) Will the Government be pleased to say if the prosecution against the Arya Samajists was withdrawn by the Government?

(f) Will the Government be pleased to say if any compensation was awarded to the persons who were prosecuted? If not, will the Government consider the advisability of awarding compensation to the persons challaned? If not, why not?

(g) Will the Government be pleased to say, if after the arrest of the Arya Samajists, there were stray assaults on Hindus?

(h) Will the Government be pleased to say for how many days such assaults continued?

(i) Will the Government be pleased to say how many injured Hindus and Muhammadans were sent to the hospitals for treatment?

(j) Will the Government be pleased to give the number of Hindus and Muhammadans who received grievous and simple hurts?

* 40. (a) Will the Government be pleased to state how many reports, and under what sections, were made by the Hindus and the Muhammadans till Friday, July 15?

(b) Will the Government be pleased to say if the Hindus complained that several reports of the Hindus were not recorded?

* 41. (a) Is it also a fact that some Hindu shops were either burnt or looted? If so, how many?

(b) Will the Government be pleased to say if it is a fact that Hindu shops remained closed for five or six days?

* 42. (a) Is it a fact that the local Hindu Sabha requested the district magistrate to receive a deputation of the Hindus on July 12, 1927?

(b) Is it a fact that the district magistrate did not receive the deputation of the Hindus till July 14, 1927?

(c) Will the Government be pleased to say if the deputation brought to the notice of the district magistrate the grievances of the Hindus and grave allegations against the police and the tahsildar?

(d) Will the Government be pleased to say how many Muhammadans were challaned and arrested by the police in connexion with the assaults on Hindus?

* 43. (a) Is it also a fact that a Muhammadan sub-inspector forcibly got the sacred threads of the arrested Arya Samajists, while in custody, taken out and broken?

(b) Will the Government be pleased to say what led the sub-inspector to take this action?

(c) Will the Government be pleased to state if the Arya Samajists were not allowed to perform their daily evening *haran* and *sandhya* (prayer) in the Samaj *mandir* for about a week? If so, please give reasons?

(d) Will the Government be pleased to say if a Hindu *sanyasi* who went to the district magistrate to complain was arrested and taken out of Bareilly by the order of the district magistrate?

(e) Will the Government be pleased to say why and for what offence was the *sanyasi* arrested and taken out of the city?

* 44. (a) Will the Government kindly state whether the tahsildar, city kotwal, and the sub-inspector who got the sacred threads removed have been suspended, removed, or transferred from Bareilly? If not, why not?

(b) Will the Government be pleased to say if it is the intention of the Government to prosecute the tahsildar, the kotwal, and the Muslim sub-inspector for criminal trespass, dispersing religious assembly, wounding the religious feelings of the Arya Samajists, ascending the *vedi* with shoes on, removing the sacred threads, and for wrongful confinement? If not, why not?

(c) Will the Government be pleased to say whether the Government has taken any action against the said officers? If not, why not? Does the Government intend to take action now?

The Hon'ble Sir Sam O'Donnell: As a resolution dealing with the Bareilly *Muharram* riots has been tabled for discussion on December 20, Government do not propose to make any statement at present.

Babu Ohhail Bihari Capoor: Are we to understand that these questions will be answered at a later date, in case the resolution on the subject does not happen to be moved?

The Hon'ble Sir Sam O'Donnell: Yes, certainly. They will be answered at another meeting if the honourable member so desires and if the resolution is not moved.

Babu Ohhail Bihari Capoor: Will the questions be answered day after tomorrow in case the resolution is not moved?

The Hon'ble Sir Sam O'Donnell: No; at the next meeting of the Council.

KING-EMPEROR *versus* ABDUL RAFIQ AND ABDUL RAHIM.

* 45 **Pandit Nanak Chand:** (a) Is it a fact that in criminal case No 327 of 1927, in the Court of Saiyid Nisar Haider Zaidi, police station Bulandshahr, King-Emperor *versus* Abdul Rafiq and Abdul Rahim, the accused, appeared on June 23 and June 28, July 1, July 13, and July 21, which dates were fixed for hearing, but no evidence was recorded until July 23, when the accused engaged Shah Muhammad Husain Usmani, Vakil, of Lucknow, son-in-law of Khan Bahadur Maulvi Rafi-ud-din Ahmad Sahib, District Magistrate?

(b) Is it a fact that the prosecution inspector applied for leave to cross-examine one of the prosecution witnesses as a hostile witness and the application was rejected?

(c) Is the Government aware that the accused were discharged? Has the forged note been destroyed, or is it still preserved?

(d) Do Government intend to have the file examined to find out if the discharge was justified?

The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan: (a), (b), and (c) Government have no information.

(d) No; it is open to any person to file an application against the discharge in the proper court.

Pandit Nanak Chand: Was this case challaned by the police for prosecution?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes ?

Pandit Nanak Chand : Have the police decided not to file an appeal against this order ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes, perhaps they thought that no good purpose would be served by their doing so.

NUMBER OF REVENUE AND CRIMINAL APPEALS DECIDED BY MAULVI RAFI-UD-DIN AHMAD, COLLECTOR.

* 46. **Pandit Nanak Chand :** What is the number of revenue and criminal appeals respectively decided by Khan Bahadur Maulvi Rafi-ud-din Ahmad Sahib, Collector, and what are the numbers of successful appeals ?

The Hon'ble Sir Sam O'Donnell : Government do not consider that it would serve any useful purpose to collect the information and do not therefore propose to do so.

MUSLIM PESHI MUHARRIRS OF HONORARY MAGISTRATES AND ASSISTANT COLLECTORS IN BULANDSHAHR DISTRICT.

* 47. **Pandit Nanak Chand :** (a) Did the Government inquire about (i) the total number and (ii) the number of the Muslims, of muharrirs peshi of honorary magistrates and honorary assistant collectors appointed in 1926 and 1927 in Bulandshahr district ? If so, did they receive any information furnished from the said district before M. Nisar Haidar Zaidi, officer-in-charge, was relieved on account of his transfer ? If the reply be in the affirmative, will the Government be pleased to lay the same on the table and state if it is correct ?

(b) In case the said information supplied to the Government be incorrect, will the Government be pleased to inquire as to why, how, and by whom this incorrect information was supplied ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Government have no reason to think that wrong information was supplied. New courts of honorary officers are not usually provided with peshi-muharrirs in their first year. If they decide more than 100 cases in a year they are given a muharrir in the following year. In all nine appointments of peshi-muharrirs were made in 1926 and 1927, but of these three were in vacancies caused by promotion or dismissal, and only six for the newly-created courts.

Pandit Nanak Chand : Is it a fact that no wrong information was supplied to Government ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The honourable member can decide that for himself in the light of the reply given.

Pandit Nanak Chand : Is it a fact that two sets of information were supplied to Government ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

ENTRIES IN CHARACTER ROLL OF THE OFFICIALS IN BULANDSHAHR
COLLECTORATE.

* 48. **Pandit Nanak Chand :** (a) Is it a fact that entries in the character roll of most of the junior officials in Bulandshahr collectorate have not been posted up to the end of September, 1927, for the last two years ?

(b) Is there any rule or Government order for making entries annually ? If so, why is it not followed in Bulandshahr ?

The Hon'ble Sir Sam O'Donnell : (a) No.

(b) Yes. It is.

LEAVE AND RETIREMENT OF M. GANGA SAHAI, READER,
COLLECTORATE, BULANDSHAHR.

* 49. **Pandit Nanak Chand :** (a) Is it a fact that M. Ganga Sahai, reader, Bulandshahr, under orders of compulsory retirement, applied for leave ? If so, how often and how were the applications disposed of ? Will the Government be pleased to lay copies of the collector's orders on the said applications on the table ?

(b) Was any leave due to Ganga Sahai before his retirement ? If so, was the same granted to him ? If not, why ?

The Hon'ble Sir Sam O'Donnell : (a) No. Whenever applied for and in accordance with the rules. No.

(b) Yes. No, because he did not apply for it in time.

Pandit Nanak Chand : May I know if the applications for leave were not submitted before he retired ?

The Hon'ble Sir Sam O'Donnell : The last application was submitted only a few days before he retired.

Pandit Nanak Chand : How was it disposed of ?

The Hon'ble Sir Sam O'Donnell : I understand it was rejected.

Pandit Nanak Chand : Were any grounds given in the order ?

The Hon'ble Sir Sam O'Donnell : I presume that they were.

PAID APPRENTICES IN BULANDSHAHR COLLECTORATE.

* 50. **Pandit Nanak Chand :** Will the Government be pleased to lay a statement on the table showing the names, ages at the time of enrolment, educational qualifications and exemptions, if any, from age-limit or educational test rules of persons who have been appointed to the ministerial posts or as paid apprentices in Bulandshahr collectorate from September, 1926 to September, 1927, who previous to their appointment were either outsiders or were not employed in the regular lines ?

The Hon'ble Sir Sam O'Donnell : A statement is laid on the honourable member's table.

(See Appendix C, page 271.)

COPIES OF ORDERS BY COLLECTOR, BULANDSHAHR, FOR APPOINTING RECORD-LIFTERS.

* 51. **Pandit Nanak Ohand :** (a) Is it a fact that Intizam Ali and Hukum Singh applied for copies of orders of Khan Bahadur M. Rafi-uddin Ahmad Sahib, Collector, Bulandshahr, appointing certain record-lifters and arrangers for the purpose of filing an appeal against the orders ?

(b) Is it a fact that the applications for copies were rejected ? If so, why ?

(c) Is it a fact that Intizam Ali and Hukum Singh have preferred appeals without filing the copies of the orders appealed against ?

The Hon'ble Sir Sam O'Donnell : (a) Yes.

(b) Yes. Intizam Ali's application for a copy of the order appointing Babu Lal as record-lifter was rejected ; as he had previously appealed to the Commissioner against the appointment of Pitambar Sahai as record-lifter and his appeal been rejected on the ground that he had no particular claim to the post, and so no right of appeal. Hukum Singh's application for a copy of the order appointing himself as record-lifter was rejected as being unnecessary ; since the fact of the appointment was entered in his service book which was put up with his appeal.

(c) Yes.

MIRZAPUR DISTRICT MAGISTRATE'S ORDERS TO HONORARY MAGISTRATES REGARDING ENTERTAINING DIRECT COMPLAINTS.

* 52. **Babu Kavendra Narayan Singh :** Is it a fact that the District Magistrate of Mirzapur has issued orders to all honorary magistrates (except the bench magistrates and Pandit Beni Ram, Special Magistrate, at Gaharwargaon), in Mirzapur district, not to entertain direct complaints and try only those which had been made over to them by the sub-divisional officers ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

* 53. **Babu Kavendra Narayan Singh :** Has this order recently been issued in pursuance of instructions from the Government ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

* 54. **Babu Kavendra Narayan Singh :** Has the Government issued such order all over the province ? If not, why has an exception been made for the Mirzapur district alone ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

NEW CIVIL HOSPITAL AT DEHRA DUN.

* 55. **Thakur Manjit Singh Rathor :** Will the Government be pleased to state what progress has the scheme for providing a new civil hospital in Dehra Dun made up to the present time ?

* 56. (a) How much in the way of donations from the public of Dehra Dun has been received so far ?

(b) What is the total estimate for the new hospital ?

The Hon'ble Rai Rajeshwar Bali : A sum of Rs. 1,00,425 has been raised by subscription, and plans and estimates for the building are under preparation.

* 57. **Thakur Manjit Singh Rathor :** Is it a fact that the Government propose to acquire some suitable land for the purpose near the compound of the municipal board office, Dehra Dun ?

The Hon'ble Rai Rajeshwar Bali : No such proposal has so far reached the Government.

* 58. **Thakur Manjit Singh Rathor :** If the answer to the foregoing question is in the affirmative, what is the total area which is contemplated to be acquired and what is the boundary of the plot in question ?

* 59. Has a survey of the plot been made ?

The Hon'ble Rai Rajeshwar Bali : Do not arise.

THE DISTRICT MAGISTRATE OF DEHRA DUN AND THE MAHARAJA OF NABHA.

* 60. **Thakur Manjit Singh Rathor :** (a) Is it a fact that, on July 14, 1927, His Highness the Maharaja Sahib Bahadur of Nabha wrote a letter to the District Magistrate of Dehra Dun, stating therein that his wife was lying very seriously ill at "Woodville," Mussoorie, and was surrounded by undesirable persons, and that he had reasons to believe that valuable property belonging to Her Highness was being clandestinely removed by Sirdar Gurdial Singh Mann and Maharani Dholpur; and that His Highness entertained grave apprehensions about his wife's life, and hence approached the magistrate that he should help His Highness in getting rid soon of Maharani Dholpur, her staff and servants and Sirdar Gurdial Singh Mann's men from "Woodville" and order a searching inquiry into the circumstances connected with clandestine removal of the property from "Woodville" ?

(b) Is it also a fact that in that letter His Highness also complained that when on July 3 he went to see his wife he was kept by Sirdar Gurdial Singh Mann and others at arm's length, and it was with great difficulty that he could enter his wife's sick bed-room, and even then when he was with his wife there were outsiders as a watch on him—to wit, Dr. Hetherington of Agra, a very close friend of the Dowager Maharani of Dholpur ?

(c) Is it a fact that in that letter His Highness informed the magistrate that he was also afraid that Maharani Dholpur and Sirdar Gurdial Singh Mann would not let the Maharani recover as then only they could digest the property above referred to ?

(d) Is it a fact that the District Magistrate of Dehra Dun dismissed this letter with a reply that he could not intervene in the family affairs of His Highness, as the house "Woodville," where the late Maharani was residing, was under the control of the Administrator of Nabha State ?

(e) Is it a fact that, on July 18, His Highness approached the Commissioner of the Meerut division for relief which the district magistrate had denied him, stating in his letter that it was immaterial for the purpose of his request who controlled "Woodville" where his wife lay

so seriously ill, and asked the Commissioner of Meerut to hold that it was not a "purely family affair" and that it was "within the purview of the district magistrate and the criminal law" and repeated his request to afford him relief?

(f) Is it a fact that the Commissioner wrote back that it was impossible for him to take action on mere surmise or suspicion and that it was not impossible for His Highness to satisfy himself by a personal visit to the house?

* 61. (a) Will the Government be pleased to lay on the table all the correspondence that has passed between His Highness the Maharaja Sahib of Nabha and the United Provinces officers and officials on this subject with all the related papers?

(b) Is it a fact that on August 4, when His Highness the Maharaja of Nabha came to know that the Senior Maharani of Nabha was on the point of death, and he expressed a wish to see her, His Highness was informed by Dr. Fletcher Robinson that those at "Woodville" did not want His Highness to come?

(c) Is it a fact that hearing this His Highness requested the district magistrate on the telephone that he should send some one immediately to "Woodville" to look after the property on His Highness' behalf so that it might not be done away with, specially after the district magistrate's knowledge that people at "Woodville" did not want His Highness to be there?

(d) Is it a fact that the district magistrate gave an assurance that he would take steps for the protection of the property at "Woodville," and subsequently on being asked as to what action he had taken, notwithstanding the urgency of the matter, he said that he was not prepared to take any action unless a formal application was made?

* 62. (a) Is it a fact that His Highness applied through Messrs. Bomanji and Baron, Barristers-at-Law, in the Court of the Sub-Divisional Magistrate, Mussoorie, praying that the court be pleased to protect the property in the possession of the late Maharani by forthwith despatching an officer who will be accompanied and assisted by a representative of the Maharaja Sahib?

(b) Is it a fact that the sub-divisional magistrate, without hearing the lawyers who had presented the application, ordered that he was unable to give His Highness any assistance, and that His Highness should seek remedy in a civil court?

(c) Is it a fact that His Highness' legal representative applied same evening to the District Magistrate and Superintendent of Dehra Dun against the order of the sub-divisional magistrate and requested that, in the interests of justice, orders be issued immediately to a responsible officer to take possession of the property left by the late Maharani Sahiba at "Woodville," Mussoorie, and "Rodrick House," Dehra Dun, and seal up all the boxes in the presence of the representatives of the Maharaja Sahib and lock up the rooms in which such property was situated, and that His Highness was prepared to pay all the necessary expenses for preserving the property?

(d) Is it a fact that the district magistrate informed the Maharaja Sahib's representatives that he was not prepared to take into custody

the property at "Woodville," and that His Highness has been put to a loss of several lakhs of rupees?

(e) Is it a fact that when Sirdar Gurdial Singh Mann asked for police guards for "Woodville," Mussoorie, and "Rodrick House," Dehra Dun, his request was immediately complied with by the District Magistrate of Dehra Dun?

(f) Is it a fact that one Jwala Singh, formerly of Patiala police, had a great hand in the doings at "Woodville" during the time of Her late Highness' ailment and after and that a complaint about the man's presence at "Woodville" was made by His Highness the Maharaja Sahib on July 14, 1927, to the District Magistrate, Dehra Dun, without any result?

(g) Is it a fact that in this very man's possession an unlicensed revolver was found and seized in March, 1927, immediately after His Highness' letter to the District Magistrate, Dehra Dun, dated March 1, 1927?

(h) Is it a fact that after the death of the late Maharani, and about the middle of August, Hazura Singh Dhillon, Inspector-General of Police of Patiala State, visited Mussoorie and interviewed Mr. Mason, the District Magistrate?

If so, will the Government state the object of the interview?

The Hon'ble Sir Sam O'Donnell: Government understand that the Maharaja has filed a civil suit, and they therefore do not propose to make any statement until it has been decided.

PUNITIVE POLICE AT DEHRA DUN.

* 63. **Thakur Manjit Singh Rathor:** (1) Is it a fact that punitive police has been stationed in Dehra Dun?

(2) What is the number of the policemen stationed?

(3) What amount, if any, will be realized from the district in the shape of the punitive police tax?

(4) On what community is the punitive police tax imposed?

(5) For what length of time the punitive police will continue in Dehra Dun?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (1) Yes.

(2) 47.

(3) Rupees 20,000 approximately.

(4) On Hindus and Muslims, subject to the provisions of section 15(5) of the Police Act.

(5) One year.

* 64 to 76. **Pandit Badri Dutt Pande:** [*Postponed at the request of Government till the first day of the next meeting.*]

BIOLOGY AND HINDI IN THE INTERMEDIATE COLLEGE, ALMORA.

* 77. **Pandit Badri Dutt Pande:** (a) Is it the intention of the Government to introduce "Biology" and "Hindi" subjects in the Government Intermediate College at Almora?

(b) If so, will this be done from the next session?

The Hon'ble Rai Rajeshwar Bali : (a) There is no present intention.

(b) No.

Pandit Badri Dutt Pande : May I know if there are any proposals before the Government on the subject ?

The Hon'ble Rai Rajeshwar Bali : There are none at present.

Pandit Badri Dutt Pande : Is it the intention of the Government to call for proposals from the College ?

The Hon'ble Rai Rajeshwar Bali : The proposals will be examined if and when received ?

* 78 to 93. **Babu Uma Shankar :** [*Returned to honourable member for further reference.*]

CAWNPORE RIOT.

* 94. **Sri Ganesh Shankar Vidyarthi :** Is it a fact that in the last Cawnpore riot, in the very beginning, just after a very small affray near the Sangam Lal's temple, Babu Braj Narayan Mehrotra, a vakil and respectable citizen of Cawnpore, immediately saw the district magistrate at his bungalow, and, while informing him of the serious nature of the situation, made a request to him to personally see the harm done to the decoration of the temple ?

* 95. Is it a fact that the district magistrate at once telephoned to the city police station and asked the police officer in charge to immediately reach on the spot ?

* 96. Is it a fact that, notwithstanding the order of the magistrate on the telephone, no responsible officer reached the Sangam Lal's temple till after 9-30 P.M., about more than an hour after the order of the district magistrate ?

* 97. Is it a fact that even after that there was no police officer in uniform at the spot ?

* 98. Is it a fact that the officer in charge of the city who came to the spot at about 10 P.M., and who was all the while without uniform, left at about 1 P.M., and, though there was serious stone-throwing and stray attacks in other quarters throughout the night, he did not attend to these places? If so, why did he not attend to these places ?

* 99. Is it a fact that no officer higher than a police sub-inspector visited the affected area on that night ?

* 100. Will the Government be pleased to state—

(a) How many persons and under what sections were arrested in connexion with the last riot at Cawnpore ?

(b) How many of them were kept in jail ?

(c) How many of those who were in jail were kept in fetters ?

(d) Whether it is a fact that Lala Ganga Din, an elderly and respectable citizen of Cawnpore and a member of the Cawnpore Cantonment Board, was arrested ?

- (e) Whether it is a fact that he was trying to pacify the people when he was arrested?
- (f) Whether it is a fact that just at the time of his arrest the authorities were verbally informed by some respectable citizens of Cawnpore that Lala Ganga Din was a very peaceful man; that he always tried his best for Hindu-Muslim unity; and that he had been wrongly arrested?
- (g) Whether it is a fact that Hafiz Hidayat Husain Sahib, M.L.C., Bar.-at-Law, afterwards wrote to the authorities that Lala Ganga Din was a very respectable citizen, that it was a mistake to arrest him, and that he should be set free at once?
- (h) Whether it is a fact that Lala Ganga Din while in jail was put in fetters?

* 101. Is it a fact that several very respectable citizens of Cawnpore stated before the Commissioner of Allahabad Division when he visited Cawnpore in connexion with the riot that the general public of Cawnpore had no confidence in the present staff of the police of Cawnpore?

* 102. Is it a fact that the merchants of Sarafa, Chowk, Nayaganj, and Generalganj made a strong representation to the Commissioner that they had no faith in the integrity of the present staff of the police of Cawnpore?

* 103. Is it a fact that when the Hon'ble the Home Member visited Cawnpore similar strong representations were made before him?

* 104. Is it a fact that the district magistrate, as well as the Hon'ble the Home Member, were presented by some prominent citizens of Cawnpore with a list of about 50 cases of cowardice, negligence, and high-handedness of the Cawnpore police at the time of the riot?

* 105. Is it a fact that the Cawnpore Municipal Board, Cawnpore Hindu Sabha, and the United Provinces Chamber of Commerce passed resolutions expressing their great dissatisfaction at the sheer incapacity and negligence of the Cawnpore police at the time of the riot?

* 106. Is it a fact that the Upper India Chamber of Commerce expressed their misgivings if proper arrangements were not made to secure in future the peace and security which are so very essential for the upkeep of the trade and commerce of Cawnpore?

* 107. Will the Government be pleased to state—

- (a) What action they have taken or they are going to take about the representations and public opinion thus expressed against the behaviour of the present police staff of Cawnpore?
- (b) Whether they are thinking to make any changes?
- (c) If so, when the changes are to be expected?
- (d) Whether the Sub-Inspector Ahsam-ud-din, whose conduct at the time of the riot had been very much criticized, has been transferred from Cawnpore?

(e) If so, whereto, and at what post?

(f) If on a higher post, whether it means that he has been rewarded for his services at the time of the riot?

(g) What action the Government are going to take about the general complaint about his conduct at the time of the riot?

* 108. Will the Government be pleased to state—

(a) Whether it is a fact that on the second day of the riot, there was a military patrol throughout the city?

(b) Whether it is a fact that the military patrol had a quieting effect on the city?

(c) Whether it is a fact that, on the third day, the military patrol was removed, and there was a general recurrence of attacks and strife throughout the affected area of the city?

(d) Whether it is a fact that when there was again the same sort of patrolling, the situation improved at once? Will the Government state why the military patrolling was removed on the third day when there was so much disaffection and panic all round?

(e) Whether it is a fact that some of the Cawnpore citizens brought this matter to the notice of the superintendent of police? What action did he take?

The Hon'ble Sir Sam O'Donnell: As a number of cases connected with these riots are pending in court, Government do not think it fitting to make any statement during the pendency of such cases.

* 109. **Sri Ganesh Shankar Vidyarthi:** (a) Will the Government be pleased to state whether they are stationing punitive police at Cawnpore?

(b) For what period?

(c) What will it cost?

(d) Who will have to pay for it?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) Yes.

(b) For six months.

(c) Rupees 30,000 approximately.

(d) The Hindu and Muslim inhabitants, excluding Government servants and pensioners, and honorary magistrates, assistant collectors, and munsifs, of certain mohallas and parts of mohallas in police circles Kotwali and Anwarganj.

PROSECUTION OF PROVINCIAL CIVIL SERVICE OFFICERS.

* 110. **Sri Ganesh Shankar Vidyarthi:** Will the Government be pleased to state how many officers (names to be mentioned) of the Provincial Civil Service—Police, Revenue, Judicial, and other departments of the Government, have been prosecuted for accepting illegal gratification in the last two years and with what results?

The Hon'ble Sir Sam O'Donnell: The honourable member's question presumably refers to officers of the provincial services.

(1) Three. Babu Kunj Behari Lal and Saiyid Iftikhar Husain, deputy collectors, and Munshi Jamal-ud-din Haidar, Assistant Commissioner of Excise.

(2) Babu Kunj Behari Lal was acquitted on appeal by the High Court and has been re-instated in his post. Saiyid Iftikhar Husain has been sentenced to one year's rigorous imprisonment and rupees one thousand fine. The case of Munshi Jamal-ud-din Haidar is *subjudice*.

* 111. **Sri Ganesh Shankar Vidyarthi** : [*Postponed at the request of Government till the first day of the next meeting.*]

COMMUTATION OF WATER-WORKS LOAN IN THE NAINI TAL MUNICIPALITY.

* 112. **Sri Ganesh Shankar Vidyarthi** : Will the Government be pleased to state what are the special circumstances which led the Government to commute the water-works loan taken by the Naini Tal municipality, and reduce the rate of interest in respect of another loan there? Has such a concession been made to any other municipality?

The Hon'ble Nawab Muhammad Yusuf : (a) The relief was granted on the recommendation of a special committee appointed by Government to examine the effect of the hydro-electric scheme on the finances of the board as a result of the increase, through unforeseen causes, of the cost from Rs. 11,30,000 as originally estimated, to Rs. 21,17,000.

(b) Yes. The Allahabad municipal board were granted a remission of Rs. 82,495 out of a loan of Rs. 1,64,991 advanced to them for the sinking of tube wells.

* 113. **Sri Ganesh Shankar Vidyarthi** : [*Postponed at the request of Government till the first day of the next meeting.*]

HONORARY DETECTIVES IN THE UNITED PROVINCES.

* 114. **Sri Ganesh Shankar Vidyarthi** : Will the Government be pleased to state

(a) How many honorary detectives (as described by Mr. J. N. Bannerji, Inspector, C. I. D., Allahabad, in his evidence in the criminal session trial No. 90 of 1922—King-Emperor *versus* Shatru Sudanshai, Shambhu Singh, and Tikam Singh in the court of the Sessions Judge of Bareilly) are working at present in these provinces?

(b) Whether they are appointed by the Deputy Inspector-General or his assistants and nominated by inspectors and sub-inspectors of C. I. D. branch, as mentioned in the said evidence?

(c) What work have these honorary detectives to do?

(d) Whether they are admitted in the Police Training School and given sub-inspectorships after proving their worth?

(e) Where and in what grades is at present Mr. Teja Singh who was an honorary detective under Mr. Bannerji and who on having proved so very useful in the case mentioned above, was admitted in the Police Training School?

The Hon'ble Lieut. Nawab Muhammad-Ahmad Sa'id Khan : Government must decline to give any information regarding the confidential activities of the police.

SCHOLARSHIPS GIVEN FOR STUDYING ADVANCED AGRICULTURAL METHODS IN EUROPE.

* 115. **Babu Shyam Lal** : Will the Government be pleased to give names of the persons with their educational qualifications who have been given scholarships by the Government within the last five years for studying the advanced agricultural methods in Europe?

The Hon'ble Thakur Rajendra Singh : Scholarships for the study of Agriculture in England have been given this year, for the first time, to the following :--

(1) Sailash Chandra Roy, M.Sc. (Allahabad.)

(2) Madan Mohan Johri, M.Sc. (Allahabad.)

* 116. **Babu Shyam Lal** : Will the Government be pleased to state whether the candidates who have passed the Licentiate Diploma in Agriculture from the Agricultural College, Cawnpore, are eligible for the said scholarship? If not, why?

The Hon'ble Thakur Rajendra Singh : (a) Yes.

(b) Does not arise.

BOARDERS OF THE AGRICULTURAL COLLEGE, CAWNPORE.

* 117. **Babu Shyam Lal** : What is the number of boarders living at present in the boarding-house of the Agricultural College, Cawnpore?

The Hon'ble Thakur Rajendra Singh : One hundred and fifty-seven.

* 118. **Babu Shyam Lal** : Is the Government aware that there is only one water hydrant in actual use in the boarding-house premises and that consequently the students are very much inconvenienced on account of the shortage of water-supply?

The Hon'ble Thakur Rajendra Singh : There is one municipal hydrant for the College estate delivering five lakhs of gallons per month. There are twenty taps for students' use. A scheme is under consideration for increasing the water-supply at the College.

* 119. **Babu Shyam Lal** : Is the Government aware that there is much overcrowding in the rooms of the boarding-house, whereby the students are greatly inconvenienced?

The Hon'ble Thakur Rajendra Singh : The hostel accommodation is for 160 students and there is no actual overcrowding.

* 120. **Babu Shyam Lal** : Is the Government aware that the old building close to the boarding-house can easily be converted into a temporary boarding-house and thus their inconvenience can be removed?

The Hon'ble Thakur Rajendra Singh : The old buildings referred to were formerly used as temporary laboratories and are not considered, for hygienic reasons, as suitable for conversion into a boarding-house for a large number of students.

* 121. **Babu Shyam Lal** : Is the Government aware that the old building is occupied by the servants of the department? Why has

not the Government thought it advisable to remove the inconvenience of the students caused by the employees of the Agricultural department being allowed to continue in the occupation of the said building for which the students have preferential claims?

The Hon'ble Thakur Rajendra Singh: The old building is at present occupied by members of the staff of the Agricultural department the nature of whose work makes it desirable that they should live on the college estate.

Babu Shyam Lal: Is it a fact that some of the students are living in houses in Nawabganj, as there is no accommodation in the College hostels and that the taps in the hostels are not working satisfactorily with the result that they cause inconvenience to the students?

The Hon'ble Thakur Rajendra Singh: I ask for notice to give this information.

Babu Shyam Lal: Will the Hon'ble Minister kindly make inquiries?

The Hon'ble Thakur Rajendra Singh: Yes.

Rai Bahadur Babu Vikramajit Singh: Will the Hon'ble Minister be pleased to state how many rooms there are in the hostel which accommodate 117 students?

The Hon'ble Thakur Rajendra Singh: I ask for notice.

Rai Bahadur Babu Vikramajit Singh: Whether they are single-seaters or whether they will accommodate a larger number of students in one room?

The Hon'ble the President: I think the Hon'ble Minister will require notice.

COMMITTEE TO INQUIRE AND REPORT ABOUT THE EDUCATION OF GIRLS IN THE UNITED PROVINCES.

* 122. **Babu Shyam Lal:** Was any committee appointed by the Government to inquire and report about the education of girls in the United Provinces? If so, when?

The Hon'ble Rai Rajeshwar Bali: Yes. In May, 1927.

* 123. **Babu Shyam Lal:** Did the committee meet and did it submit any report to Government? If so, when?

The Hon'ble Rai Rajeshwar Bali: Yes. In September, 1927.

* 124. **Babu Shyam Lal:** If the answer to the foregoing question is in the affirmative, what action, if any, was taken by the Government?

The Hon'ble Rai Rajeshwar Bali: Government are considering the report and hope to ask the Council to provide funds, if available, in 1928-29 to give effect to certain of the recommendations.

* 125. **Babu Shyam Lal:** Was the report published? If not, why not?

The Hon'ble Rai Rajeshwar Bali: The report has been circulated to members of the Legislative Council, members of the Board of Vernacular Education, Commissioners of divisions, district magistrates, chairmen of district and municipal boards, the chief inspectress of girls' schools and divisional inspectors of schools.

* 126. **Sri Ganesh Shankar Vidyarthi**: [*Postponed at the request of Government till the first day of the next meeting.*]

* 127 and 128. **Khan Bahadur Hafiz Hidayat Husain**: [*Postponed at the request of Government till the first day of the next meeting.*]

CHAIRMEN OF DISTRICT BOARDS IN THE UNITED PROVINCES.

* 129. **Khan Bahadur Hafiz Hidayat Husain**: How many chairmen of district boards are there in these provinces? How many of these were Muslims on November 15, 1927?

The Hon'ble Nawab Muhammad Yusuf: There were 45 chairmen of district boards on November 15, 1927, of whom one was a Muslim.

DEATH OF A MUSLIM STATION MASTER ON THE EAST INDIAN RAILWAY.

* 130. **Khan Bahadur Hafiz Hidayat Husain**: (i) Are Government aware that a Muslim station master on the East Indian Railway was shot dead in the Agra district in October last?

(ii) Have Government seen the statement made by his widow?

(iii) Was he shot while sleeping in the station room?

(iv) Who was on duty at the station when he was shot dead?

(v) Has the case been investigated, by whom, and with what result?

The Hon'ble Lieut Nawab Muhammad Ahmad Sa'id Khan: (i) Yes.

(ii) No.

(iii) Yes.

(iv) As far as Government are aware there was no one on duty at the time the deceased was shot

(v) The case is being investigated jointly by Hindu and Muslim investigating officers and the investigation has been supervised by Mr. Ali Hasan, Superintendent, Government Railway Police, and by Mr. Bagchi, Assistant Superintendent of Police, Agra. So far nothing has transpired to show who committed the crime.

Khan Bahadur Hafiz Hidayat Husain: Will the Government be pleased to call for the statement made by the widow and see whether the culprits cannot be traced from that statement?

The Hon'ble Lieut Nawab Muhammad Ahmad Sa'id Khan: I believe that the statement of the widow must have already been taken and I therefore do not think there is any reason for the Government to call for the statement of the widow.

Khan Bahadur Hafiz Hidayat Husain: I mean the statement made by the widow immediately after the shooting accident.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I shall have no objection. I will look into the question.

FOREIGN SCHOLARSHIPS AWARDED IN THE EDUCATION DEPARTMENT.

* 131. **Khan Bahadur Hafiz Hidayat Husain**: (i) Will the Government be pleased to place a statement on the table showing the names of scholars to whom foreign scholarships have been awarded in the Education department during the years 1926 and 1927?

(ii) For what purpose have these scholarships been awarded in each case ?

The Hon'ble Rai Rajeshwar Bali : A statement is laid on the table.

(See Appendix D, page 272.)

* 132. **Khan Bahadur Hafiz Hidayat Husain :** (i) How many selection committees sat for the award of scholarships mentioned in the foregoing question ?

(ii) What was the composition of each committee ?

(iii) What is the name of the scholar or scholars to whom the committee recommended the award ?

(iv) Were the recommendations of the committee accepted in each case by the Government ?

(v) If not, in which case and for what reasons were the recommendation of the committee not accepted ?

The Hon'ble Rai Rajeshwar Bali : (i) Two.

(ii) In 1926 : (1) The Director of Public Instruction.

(2) Khan Bahadur Maulvi Fasih-ul-din Sahib.

(3) Dr. Ganesh Prasad.

(4) Mr. N. A. Rust.

(5) Dr. K. N. Bahl.

In 1927 : (1) The Director of Public Instruction.

(2) The Hon'ble Justice Dr. S. M. Sulaiman.

(3) Sir Tej Bahadur Sapru.

(iii), (iv), & (v) The recommendations of the committee are confidential.

Lala Nemi Saran : May I know what led the Government to reduce the number of members on the committee in 1927 and secondly to exclude members of this Council from acting on this committee ?

The Hon'ble Rai Rajeshwar Bali : There was no particular reason for excluding members of this Council, but we appointed persons whom we considered suitable.

Lala Nemi Saran : Is it the intention of the Government in future to take members of this Council into their confidence in such matters ?

The Hon'ble Rai Rajeshwar Bali : I do not think it is a question of confidence. We cannot bind ourselves regarding the composition of a committee. We appoint those persons whom we consider fit at the time.

CESSES LEVIED BY THE GOVERNMENT FROM ZAMINDARS.

* 133. **Khan Bahadur Hafiz Hidayat Husain :** (i) What is the amount of cesses levied by the Government and realized with the Government revenue from the zamindars in the province ?

(ii) How are these cesses spent by the Government ?

(iii) Will the Government be pleased to state how much of these cesses are paid by Government to local bodies and for what purposes, and what is the amount allotted for each purpose?

(iv) If the cesses are spent by the Government direct, under what head of expenditure are they so spent and what is the amount under each head?

The Hon'ble Sir Sam O'Donnell: (i) The honourable member is referred to the annual revenue administration reports which contain these figures for each year.

(ii), (iii), and (iv) The whole amount is credited to the general funds of the district boards concerned and expended by them.

Khan Bahadur Hafiz Hidayat Husain: Are these funds earmarked for any particular purpose?

The Hon'ble Sir Sam O'Donnell: No.

POPULATION OF GARHMUKHTESHWAR.

* 134. **Khan Bahadur Hafiz Hidayat Husain:** What is the population of Garmukhteshwar in the Meerut district?

How many Hindus and how many Muslims?

The Hon'ble Nawab Muhammad Yusuf: The honourable member is referred to "District Census Statistics" for the Meerut district.

* 135. **Khan Bahadur Hafiz Hidayat Husain:** [*Postponed at the request of Government till the first day of the next meeting.*]

INTRODUCTION OF TIME-SCALE FOR MAULVIS AND PANDITS IN THE EDUCATION DEPARTMENT.

* 136. **Khan Bahadur Hafiz Hidayat Husain:** (i) When was the time-scale for maulvis and pandits serving in the Education department introduced?

(ii) Why was it made to start at Rs. 40, even lower than the time-scale for drawing masters and other C. T. teachers?

(iii) Has any bar been put at Rs. 125 for the drawing masters and other C. T. teachers?

(iv) Why have maulvis and pandits been particularly selected for this bar?

The Hon'ble Rai Rajeshwar Bali: (i) April, 1921.

(ii) The initial pay is now the same.

(iii) No.

(iv) Because their qualifications vary more widely than those of drawing masters and other teachers.

* 137. **Khan Bahadur Hafiz Hidayat Husain:** (i) Are maulvis and pandits serving under the department of Education eligible for appointment as teachers of Urdu and Hindi in intermediate colleges?

(ii) How many such maulvis and pandits have so far been taken in the intermediate colleges as teachers of Hindi or Urdu?

The Hon'ble Rai Rajeshwar Bali: (i) Yes.

(ii) None so far.

* 138 and 139. **Khan Bahadur Hafiz Hidayat Husain** : [*Postponed at the request of Government till the first day of the next meeting.*]

* 140. **Khan Bahadur Hafiz Hidayat Husain** : [*Transferred as unstarred question No. 25 for this date.*]

FOREIGN SCHOLARSHIPS RECOMMENDED BY THE LUCKNOW UNIVERSITY.

* 141. **Khan Bahadur Hafiz Hidayat Husain** : Will the Government be pleased to place on the table a statement showing the names of scholars to whom foreign scholarships have been recommended by the Lucknow University since its constitution and the subject or subjects for study of which these scholarships were recommended ?

The Hon'ble Sai Rajeshwar Bali : A statement is laid on the table.

(See Appendix E, page 272.)

* 142. **Khan Bahadur Hafiz Hidayat Husain** : [*Transferred as unstarred question No. 26 for this date.*]

GOVERNMENT PLEADERS IN THE UNITED PROVINCES.

* 143. **Khan Bahadur Hafiz Hidayat Husain** : How many Government pleaders are there in these provinces ?

How many of these are Muslims and where ?

Why is the number of Muslim Government pleaders so low in these provinces ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : There are 50 district Government pleaders, including additional Government pleaders, of whom six are Muslims. Government are unable to say why the number of Muslim Government pleaders is low.

Rai Bahadur Babu Vikramajit Singh : Will the Government be pleased to state what is the total number of pleaders on the roll of the High Court ?

The Hon'ble the President : That requires notice.

* 144. **Khan Bahadur Hafiz Hidayat Husain** : [*Transferred as unstarred question No. 27 for this date.*]

RESIGNATIONS BY MUSLIM MEMBERS THE LUCKNOW MUNICIPAL BOARD.

* 145. **Khan Bahadur Hafiz Hidayat Husain** : (i) Are Government aware that the newly-elected Muslim members of the Lucknow municipal board have again vacated their seats ?

(ii) Is it due to the prohibition of *milad sharif* in the Aminabad park ?

(iii) For how many years has this *milad sharif* been continuously celebrated in the Aminabad park ?

(iv) Are Government aware that the prohibition of *milad sharif* has caused considerable tension of feeling between the two major communities of Lucknow ?

(v) Do Government propose to take any steps to allay that feeling?

The Hon'ble Sir Sam O'Donnell : (i) No.

(ii) and (iii) Government have no information.

(iv) No.

(v) No.

COMPLAINT AGAINST ANAND SWARUP, SUB-INSPECTOR OF BASTI.

* 146. **Khan Bahadur Hafiz Hidayat Husain :** (i) Have any Muslims of village Pipra, police station Lotan, tahsil Bansi, district Basti, made any complaint to the Government or any police authorities to the effect that Sub-Inspector Anand Swarup summoned them to village Newra and then forcibly made them sign an agreement on June 18, 1927, not to perform sacrifice of horned cattle in their village, although there is a long-standing custom of such a sacrifice?

(ii) Has any inquiry been made into the complaint of these Muslims and, if so, with what result?

(iii) If no inquiry has been made, will the Government be pleased to state the reasons for which inquiry into such serious allegations has been denied?

The Hon'ble Sir Sam O'Donnell : (i) Yes.

(ii) Yes. The allegations made against the sub-inspector were not established.

(iii) Does not arise.

SHISHIR KUMAR GHOSE.

* 147. **Pandit Badri Dutt Pande :** (a) Is any person of the name of Shishir Kumar Ghose employed by this Government since 1921 or thereabout in the secret police or the C. I. D.? If so, in what capacity?

(b) Has any special award been made to him?

(c) What is the total amount of money advanced to this man since his employment till now?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Government cannot make any statement in regard to the confidential activities of the police.

* 148 to 150. **Pandit Badri Dutt Pande :** [*Postponed at the request of Government till the first day of the next meeting.*]

INCOME AND EXPENDITURE OF THE DIFFERENT COOLIE AGENCIES
IN THE ALMORA DISTRICT.

* 151. **Pandit Badri Dutt Pande :** (a) What is the total amount of income and expenditure on the different coolie agencies in the Almora district for the last three years?

(b) What staff is employed by each agency?

(c) What is the pay of the supervising staff and the coolies?

The Hon'ble Sir Sam O'Donnell : A statement is laid on the honourable member's table.

(See Appendix F, page 273)

GRADATION OF STENOGRAPHERS IN THE DISTRICT AND DIVISIONAL OFFICES.

* 152. **Pandit Badri Dutt Pande** : How far has the scheme for the gradation of stenographers employed in the district and divisional offices been materialized ?

The Hon'ble Sir Sam O'Donnell : The honourable member is referred to the answer given to the question asked by Pandit Rahas Bihari Tewari Sahib on June 27. The position is still the same.

AUDIT NOTE OF THE LYMPH DÉPÔT AT PATWA DANGAR.

* 153. **Pandit Badri Dutt Pande** : (a) When will the audit note of the Lymph dépôt at Patwa Dangar be out for publication ?

(b) Has a copy of it been sent to the Government ?

The Hon'ble Rai Rajeshwar Bali : The honourable member is referred to the answer to starred question No. 10 of December 17, 1927.

* 154. **Pandit Badri Dutt Pande** : [*Postponed at the request of Government till the first day of the next meeting.*]

CONTROL OVER THE INCOME-TAX OFFICERS.

* 155. **Pandit Badri Dutt Pande** : Does the Local Government exercise any control over the income-tax officers ?

The Hon'ble Sir Sam O'Donnell : No. Income-tax officers are under the Income-tax Commissioner and the Central Board of Revenue.

CHARGES MADE AGAINST BABU MURARI LAL, SILDAR OF GAROTHA, JHANSI.

* 156. **Pandit Bhagwat Narayan Bhargava** : Will the Government be pleased to state the charges made against Babu Murari Lal, tahsildar of Garottha (Jhansi) ?

The Hon'ble Sir Sam O'Donnell : A statement is laid on the table.

(See Appendix G, page 274.)

* 157. **Pandit Bhagwat Narayan Bhargava** : (a) Was it his defence that he was within his jurisdiction when an objection was taken to his having signed the *siaha* ?

(b) Is it a fact that some river was in flood that day ?

(c) Is it a fact that the motor lorry in which the tahsildar was travelling was detained by the flood ?

The Hon'ble Sir Sam O'Donnell : (a) This was one of the points to which he called attention, but it was not his main line of defence.

(b) Yes.

(c) Yes.

* 158. **Pandit Bhagwat Narayan Bhargava** : How many, and which, officers did the district magistrate take with him to inquire into the matter and why ?

The Hon'ble Sir Sam O'Donnell: The Collec'or took with him the following officers when he went to Garotha for the inquiry :—

- (1) Mir Amanat Ali, the Sadr tahsildar of Jhansi.
- (2) Babu Har Narayan, the Sadr naib-tahsildar of Jhansi.
- (3) Qazi Amir-ud-din Ahmad, Superintendent of Post Offices, Jhansi Postal division.

Nos. (1) and (3) were intended to help the Collector in the inquiry and No. (2) was intended to relieve the tahsildar in case he was suspended.

Pandit Bhagwat Narayan Bhargava: Will the Government be pleased to state what help the tahsildar of Jhansi rendered to the Commissioner of Jhansi in connexion with this inquiry ?

The Hon'ble Sir Sam O'Donnell: I do not know what help he did render him, but it is the practice in these inquiries to take the help of an experienced officer.

Pandit Bhagwat Narayan Bhargava: Is it a fact that the inquiry was not made at the tahsil but at the headquarters of the district ?

The Hon'ble Sir Sam O'Donnell: The inquiry, I think, was made at the tahsil.

* 159. **Pandit Bhagwat Narayan Bhargava:** (a) What were the recommendations of the district magistrate and the Commissioner in his case ?

(b) Was the case inquired into by the district magistrate ?

(c) Is it a fact that the same district magistrate was officiating as the Commissioner of Jhansi division when the papers of the tahsildar were pending in the Commissioner's office ?

(d) Were the papers sent to the Government by the Commissioner ? If so, on which date were they despatched from Jhansi ?

(e) Who passed the final orders and what were they ?

* 159. **The Hon'ble Sir Sam O'Donnell:** (a) Government are not prepared to state the contents of official reports of the kind.

(b) Yes.

(c) and (d) The officer who conducted the inquiry signed his report as Collector on the afternoon of January 14, 1927, and addressed the Commissioner in the usual way. He took over as Commissioner on the afternoon of January 15, and submitted the papers to Government on January 19.

(e) The final orders were passed by the Government, and were of removal from service.

* 160. **Pandit Bhagwat Narayan Bhargava:** (a) What was the length of the service of the tahsildar ?

(b) Was he nominated for a deputy collectorship some time back ?

The Hon'ble Sir Sam O'Donnell: (a) Twelve years' permanent service.

(b) No.

* 161. **Pandit Bhagwat Narayan Bhargava** : Is it a fact that the successor of the said tahsildar was charged with the following amongst other charges :—

- (1) That in respect of February 7, 8, 10, 11, 16, 17, 18, 19, 20, you submitted a false tour diary in that you have on each date shown yourself present in your tahsil and on duty and more specially you have declared that on February 18 and 19 you did court work when in reality you were out of the district ?
- (2) That, on January 15, 1927, you submitted "*a false and fraudulent travelling allowance bill*" in respect of a journey made on December 18, 1926, with a halt on December 19 and a journey on January 8, 1927, followed by a halt on January 9 ?

The Hon'ble Sir Sam O'Donnell : Yes.

* 162. **Pandit Bhagwat Narayan Bhargava** : Were the said charges proved against him ? If yes, why was he not prosecuted for defrauding the Government and fabricating the travelling allowance bill ?

* 163. Why was not the recommendation of the district magistrate that he be reduced to a naib-tahsildar accepted ?

* 162 and 163. **The Hon'ble Sir Sam O'Donnell** : (a) Yes.

(b) Because the Commissioner held that the charges were not so grave as they appeared *prima facie* to be and that there were extenuating circumstances.

* 164. **Pandit Bhagwat Narayan Bhargava** : Why has he been again posted to the very district in which he was before these charges were framed ?

The Hon'ble Sir Sam O'Donnell : Because in the circumstances there were no sufficient grounds for transferring him.

* 165. **Pandit Bhagwat Narayan Bhargava** : Will the Government be pleased to state the reasons why Babu Murari Lal was dismissed and why his successor charged with graver misconduct was punished with only stoppage of promotion for one year ?

The Hon'ble Sir Sam O'Donnell : Because Babu Murari Lal was found guilty of graver misconduct than his successor.

Pandit Bhagwat Narayan Bhargava : With reference to the answer to questions Nos. 162 to 165, will the Government be pleased to state the reasons which led the Commissioner to come to the conclusion that the charges did not call for prosecution ?

The Hon'ble Sir Sam O'Donnell : There was no question of fraud or fraudulent intention.

Pandit Bhagwat Narayan Bhargava : Has the Government admitted in answer to question No. 161 the charges as mentioned by me in the question are correct ?

The Hon'ble Sir Sam O'Donnell : The charges are correct, but when the inquiry was made it was found that there was no reason to believe him guilty of fraud.

Pandit Iqbal Narayan Gurtu : Does Government consider that a false travelling allowance bill is sufficiently serious to deserve dismissal of a Government servant ?

The Hon'ble Sir Sam O'Donnell : It depends entirely on the circumstances ; the mere fact that the bill was erroneous would certainly not be sufficient justification.

Pandit Bhagwat Narayan Bhargava : Is it not a fact that the Government has admitted that these charges were proved against him ?

The Hon'ble Sir Sam O'Donnell : I have not admitted it. I said that these were the charges. The answer to the question is not as full as it should be. It was not proved that there was fraud.

Mr. A. P. Dube : Is it stated on legal advice ?

The Hon'ble Sir Sam O'Donnell : No.

Lala Nemi Saran : Did not the tahsildar make a wrong report ?

The Hon'ble Sir Sam O'Donnell : Yes. I think it was found that he made a wrong report certainly.

Lala Nemi Saran : Will the Government be pleased to lay on the table of this Council the charges found proved by the Commissioner ?

The Hon'ble Sir Sam O'Donnell : We have already answered this question. The charges were found proved, I believe, except that there was no fraud and there were extenuating circumstances.

Lala Nemi Saran : What were the extenuating circumstances ?

The Hon'ble Sir Sam O'Donnell : That I cannot say now.

Pandit Bhagwat Narayan Bhargava : Was it proved before the Commissioner that the tahsildar was actually outside the district while had shown himself as doing the work ?

The Hon'ble Sir Sam O'Donnell : Yes, he was outside the district.

Mr. A. P. Dube : Was that done with the intention of fraud ?

The Hon'ble Sir Sam O'Donnell : No, that was not the intention.

Pandit Bhagwat Narayan Bhargava : Is the Government answering this question without having full possession of the facts ?

The Hon'ble Sir Sam O'Donnell : We made inquiries. The honourable member cannot expect me to carry every detail of every case in my head.

Babu Chhail Bihari Capoor : Will the Hon'ble the Finance Member say under whose orders this gentleman, Babu Murari Lal's successor, was posted to the same district ?

The Hon'ble Sir Sam O'Donnell : He was certainly not transferred. It was not a question of passing orders ; simply a question of refraining from passing orders.

Babu Chhail Bihari Capoor : Was that officer the same officer who dealt with the case of Babu Murari Lal ?

The Hon'ble Sir Sam O'Donnell : That was another officer.

NAIB-TAHSILDARS, TAHSILDARS, AND DEPUTY COLLECTORS REMOVED ON INVALID PENSION ON ACCOUNT OF THEIR MISCONDUCT.

* 166. **Pandit Bhagwat Narayan Bhargava** : Will the Government be pleased to give the names and places of the naib-tahsildars, tahsildars, and deputy collectors who have been removed, dismissed or retired on invalid pension on account of their misconduct or corruption during the years 1925, 1926, and 1927 and the reasons for the same?

The Hon'ble Sir Sam O'Donnell : A statement is laid on the table.

(See Appendix H, page 275.)

* 167 to 171. **Pandit Bhagwat Narayan Bhargava** : [*Postponed at the request of Government till the first day of the next meeting.*]

APPLICATIONS FOR *tagavi* BY TENANTS.

* 172. **Chaudhri Vijai Pal Singh** : Will the Government be pleased to state the number of applications for *tagavi* submitted by tenants in the year 1927 and the number of applications granted in Meerut district?

The Hon'ble Sir Sam O'Donnell : Out of 754 applications 164 have been sanctioned and 108 are still pending.

GARHMUKTESHWAR FAIR INCIDENT.

* 173. **Chaudhri Vijai Pal Singh** : Will the Government be pleased to lay on the table the following information in connexion with the Garhmukteshwar fair incident :—

(a) Is it a fact that Mr. Khuda Dad Khan, Inspector of Police, was in charge of police arrangements up to November 8, 1927?

(b) Is it a fact that Mr. Khuda Dad Khan is the same gentleman who was inspector of police at Saharanpur and Aligarh when the looting and rioting took place at these places?

The Hon'ble Sir Sam O'Donnell : Government do not propose to make any statement in regard to the Garhmukteshwar incident, as a number of cases connected with it are pending in court.

* 174. **Chaudhri Vijai Pal Singh** : [*Postponed at the request of Government till the first day of the next meeting.*]

KAKORI CONSPIRACY CASE.

* 175. **Chaudhri Vijai Pal Singh** : (*Asked by LALA NEMI SARAN in the absence of the questioner*) : Will the Government be pleased to state the names of witnesses, along with their professions, who were examined on behalf of the prosecution in the Kakori conspiracy case who deposed to the fact that a meeting of the revolutionary party was held in the Vaishya rphanage at Meerut on September 13 and 14, 1925?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : If the honourable member wishes to know the names of the witnesses, he may file a proper application for a copy of the judgement or of the depositions with the necessary fees in the court of the District and Sessions Judge of Lucknow. Government have no information in regard to the professions of the witnesses.

Lala Nemi Saran : Is it not a fact that Mr. Pheru Singh, whose name is mentioned in question No 176, was the person who gave the evidence referred to in the question?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not think it arises out of this question which I have just answered.

Lala Nemi Saran : Is it a fact that the nomination was rejected?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I wonder, if he was never nominated from Muzaffarnagar district, how his nomination was rejected?

Lala Nemi Saran : What I mean is this, that he applied to the Commissioner to be nominated, but his nomination was rejected.

The Hon'ble the President : Does the honourable member make himself responsible for the accuracy of the statement he is making, as required by the Standing Orders.

Lala Nemi Saran : Will the Hon'ble the Home Member say if this Pheru Singh ever applied to the district magistrate of Muzaffarnagar and his application was rejected?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware of it. The honourable member should put a separate question. I am just informed that he applied to Mr. Marsh, the Collector, and he rejected his application.

* 176. **Chaudhri Vijai Pal Singh :** [*Asked by LALA NEMI SARAN in the absence of the questioner*]: With reference to the answer to my starred question No. 32 of October 31, 1927, will the Government be pleased to verify the fact that Mr. Pheru Singh, who gave evidence in the Kakori conspiracy case in connexion with Meerut Vaishya orphanage meeting had already been rejected in two previous years from Muzaffarnagar district, and was nominated for the Police Training School at Moradabad after he gave his evidence in the Kakori conspiracy case?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Inquiries have been made. Pheru Singh was never nominated for the Police Training School from the Muzaffarnagar district.

* 177. **Chaudhri Vijai Pal Singh :** [*Asked by LALA NEMI SARAN in the absence of the questioner*]: Is it also a fact that the same Mr. Pheru Singh is a nephew of Chaudhri Padam Singh, a C. I. D. inspector?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Pheru Singh is a cousin of Chaudhri Padam Singh, inspector, Criminal Investigation department.

* 178 to * 181. **Chaudhri Vijai Pal Singh :** [*Postponed at the request of Government till the first day of the next meeting.*]

RESIGNATION FROM ASSESSORSHIP BY LALA RAM CHANDRA OF HAPUR.

* 182. **Chaudhri Vijai Pal Singh :** Is it a fact that one Lala Ram Chandra, Vaish by caste, resident of Hapur in Meerut district, tendered

his resignation from assessorship on October 17, 1927? If the answer to the above question be in the affirmative, will the Government be pleased to state whether his resignation has been accepted by the district magistrate?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Government have no information.

INSPECTION NOTE OF MEERUT DISTRICT JAIL.

*183. **Chaudhri Vijai Pal Singh :** Has the attention of the Government been drawn to the inspection note of Meerut jail, made by me and Chaudhri Dharamvir Singh on October 23, 1927? Has the Government taken any action on our recommendation regarding the transfer of Lachchho, a habitual offender of Meerut city, to some other jail? If not, why?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :
(a) No.

(b) No, the matter is one within the discretion of the Inspector-General of Prisons.

*184. **Chaudhri Vijai Pal Singh :** With reference to the answer to my starred question No. 33, dated October 31, 1927, will the Government be pleased to state what became of the two jail bulls?

*185. Is it a fact that the two jail bulls which used to be sent to the bungalow of the superintendent of Meerut district jail were put to auction and were purchased by the jail contractor, Lala Mitthan Lal, for Rs. 60? Is it also a fact that these two jail bulls were really purchased by the superintendent of the jail himself in the name of Lala Mitthan Lal?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A reply will be given at a later date.

TREATMENT OF SMALL-POX.

*186. **Chaudhri Dharamvir Singh :** Has the Government accepted the recommendation of the Director of Public Health of which he makes mention in his 58th annual report that in requiring preliminary cases to be notified to the public health authorities immediately, small-pox should be treated like cholera and plague? If not, why?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) Does not arise.

SALARY OF PROCESS-SERVERS.

*187. **Chaudhri Dharamvir Singh :** Has the Government accepted the recommendation of the High Court that the salaries of the process-serving staff be increased? If so, what action has the Government taken or does it propose to take in order to give effect to that recommendation?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The question of raising the pay of process-servers is under consideration.

SALARY OF PEONS AND ORDERLIES.

* 188. **Chaudhri Dharamvir Singh :** Is it the intention of the Government to increase the salaries of peons and orderlies serving under the Government? If not, will the Government be pleased to state reasons why it permits the salaries of these servants to remain so low?

The Hon'ble Sir Sam O'Donnell : (a) No.

(b) Government consider that the salaries are adequate:

* 189. **Chaudhri Dharamvir Singh :** Will the Government be pleased to state (a) the numbers of peons and orderlies serving under the Government and (b) the total amount of money being spent by the Government in paying them their monthly salaries?

The Hon'ble Sir Sam O'Donnell : Government regret that they are unable to supply the information, as its collection would involve an amount of labour disproportionate to its value.

UNSTARRED QUESTIONS.

NUMBER OF GOVERNMENT SERVANTS ON SALARIES OF BETWEEN Rs. 7 AND 5,000 AND EXPENDITURE THEREON,

1. **Chaudhri Dharamvir Singh :** Will the Government be pleased to supply the following information about officers in the pay of the British Government each receiving a salary of not less than Rs. 5,000 a month in the United Provinces :—

(1) Their number, (2) the total amount of expenditure incurred by the Government monthly on account of payment of their salaries combined, and (3) the total amount of allowances and honoraria paid to these officers in the year ending March 31, 1927.

2. Will the Government be pleased to supply the following information about officers in the pay of the British Government and serving in the United Provinces each of whom receives a monthly salary of less than Rs. 1,000 but not less than Rs. 500? :—

(1) Their number, (2) the total amount of their monthly salaries, and (3) the total amount of allowances and honoraria paid to them in the year ending March 31, 1927?

Kunwar Jagdish Prasad : For such information as is easily available the honourable member is referred to the Civil List.

3. **Chaudhri Dharamvir Singh :** Will the Government be pleased to supply information—

(a) about Government servants each of whom draws a salary of less than Rs. 500 but not less than Rs. 150 a month with respect

to points mentioned in (1), (2), and (3) of the foregoing question;

- (b) about Government servants each of whom draws a salary of less than Rs. 150 but not less than Rs. 75 a month, with respect to points mentioned in (1), (2) and (3) of the foregoing question?

4. Will the Government be pleased to supply information about government servants each of whom draws a salary of less than Rs. 75 a month with respect to the following points :—

- (1) Their number, (2) the total amount of monthly expenditure incurred by the Government on account of their salaries, and (3. the total amount of allowances and honoraria paid to them in the year ending March 31, 1927?

5. Will the Government be pleased to supply information—

- (1) about government servants each of whom draws a salary of less than Rs. 20 but not less than Rs. 7 a month, with respect to the following points as in the foregoing question, that is, (a) their number, (b) the total amount of monthly expenditure incurred by the Government on account of their salaries, and (c) the total amount of allowances and honoraria paid to them in the year ending March 31, 1927?

Kunwar Jagdish Prasad: Government are unable to supply the information, as its collection would involve an amount of labour which would be disproportionate to its value.

PLAINTS FILED IN CIVIL COURTS.

6. **Chaudhri Dharamvir Singh:** Will the Government be pleased to supply information for 1926 as required by the following table for civil courts of these provinces excluding Kumaun division?

Class of tribunals.	Number of plaints and written state- ments filed and written in Hindi.	Number of plaints and written state- ments filed and written in Urdu.	Number of plaints and written state- ments filed and written in English.
(a) Unpaid tribunals			
(b) Paid sub-divisional tribunals ..			
(c) Small cause courts			
(d) District courts, other than Chief Courts of the districts.			
(e) Chief Courts of the district ..			

Mr. R. L. Yorke: Government are not prepared to undertake the necessary inquiry.

PLAINTS FILED IN CRIMINAL COURTS.

7. **Chaudhri Dharamvir Singh**: Will the Government be pleased to supply information for 1926 as required by the following table for criminal courts of these provinces excluding Kumaun division? :—

Class of courts.	Number of plaints and written statements filed and written in Hindi.	Number of plaints and written statements filed and written in Urdu	Number of plaints and written statements filed and written in English.
(a) Special magistrates under section 14.			
(b) Honorary magistrates ..			
(c) Stipendiary magistrates sitting singly.			
(d) District and divisional magistrates.			
(e) Chief magistrates of districts under ordinary powers.			
(f) Court of Session			

Mr. R. L. Yorke: Government are not prepared to undertake the necessary inquiry.

SANITARY INSPECTORS.

8. **Babu Kishori Prasad** : (1) Will the Hon'ble Minister for the Public Health department be pleased to state how many of the candidates selected for the training of sanitary inspectorship this year, how many were the nominees of the various municipal boards?

(2) How many nominations for such selection were made by the municipal board, Banda?

(3) Was any one of these nominees nominated last year also by the said board?

(4) Is it a fact that the said nominee was last year given to understand that his case will be preserved and considered next year?

(5) Will the Government be pleased to state whether his case was considered this year and, if so, on what grounds he was not selected?

Sir Ivo Elliott : (1) Ten.

(2) Two.

(3) Yes.

(4) No.

(5) Yes. He was not selected, as he was unqualified, while a very large number of qualified and more suitable candidates were available.

PROVINCIALIZATION OF HEADMASTERS.

9. **Mr. E. Ahmad Shah :** (a) Is it a fact that some senior headmasters, whose posts were provincialized in 1921, have been superseded by assistant inspectors of schools, because of their having been given promotion retrospectively ?

(b) If the answer is in the negative, will the Government be pleased to consider the case of such senior headmasters as have rendered over twenty years of efficient service in the department for appointment as inspectors of schools with salaries commensurate with the office ?

(c) If the answer is in the affirmative, will the Government be pleased to consider the case of the same class of headmasters by either promoting them to inspectorships, whenever vacancy arises, or giving them a compensatory allowance till retirement ?

Mr. Panna Lal : (a) No.

(b) Appointments to inspectorships of schools are made either by direct recruitment or by selection.

(c) Does not arise.

10. **Mr. E. Ahmad Shah :** Is it a fact that some of these senior headmasters will never reach their maximum grade before retirement ?

If the answer is in the affirmative, will Government consider the advisability of either retaining their services if medically fit for a few years longer, so that they may benefit somewhat in their pensions, or granting them a proportionate increase in salary according to the number of years of service rendered on a fixed maximum salary of the lower grade ?

Mr. Panna Lal : Yes. Government are unable to accept the suggestions.

THE BOOK ENTITLED *Satyarth Prakash*.

11. **Khan Bahadur Maulvi Fasih-ud-din :** Is the Government aware that Swami Dayanand Saraswati wrote a book entitled *Satyarth Prakash* in 1875 which contained twelve chapters only and no attacks on the religious leaders of other faiths ?

Kunwar Jagdish Prasad : No.

12. **Khan Bahadur Maulvi Fasih-ud-din :** Is it a fact that in subsequent editions two more chapters were added by his followers, namely, chapters 13 and 14, which contain attacks on Christians and Muslims respectively ?

13. Is it a fact that the Shilabli edition of 1925 contains provocative and indecent attacks on the author of Puranas, Moses, Jesus Christ, and the Prophet of Islam ?

Kunwar Jagdish Prasad : Government have no information.

14. **Khan Bahadur Maulvi Fasih-ud-din :** If so, what are reasons for this Government not having proscribed this book ?

Kunwar Jagdish Prasad : Does not arise.

15. **Khan Bahadur Hafiz Hidayat Husain :** [*Postponed at the request of Government till the first day of the next meeting.*]

16. Khan Bahadur Hafiz Hidayat Husain : [*Withdrawn by the honourable member.*]

CONSTITUTION OF THE MANAGING COMMITTEE OF THE TRUST OF
MUBARAK MAHAL OF OUDH.

17. Chaudhri Badan Singh : Will the Government be pleased to state how and when was the present committee constituted for the management of the trust property, appertaining to the trust created by Nawab Mubarak Mahal, wife of Shah Ghazi-ud-din Hyder, the late King of Oudh ?

18. Is it a fact that a suit was instituted by the Commissioner of the Lucknow division against Muhammad Haider Raza Khan and other members of the family of Hakim Mirza Bande Mehdi Khan for the appointment of a trustee to administer the trust created by the will of Mubarak Mahal and for the settling of a scheme for the management of the trust and the succession to the office of the trustee in future ?

19. Is it a fact that the aforesaid suit was dismissed by the District Judge, Lucknow, on October 2, 1902, on the ground that he held that no *waqf* of a public nature had been created by the will of Mubarak Mahal ?

20. Is it also a fact that the aforesaid judgement was not questioned in appeal by the Commissioner, Lucknow division ?

21 Is it a fact that Hakim Mirza Bande Mehdi Khan was appointed the sole trustee to administer the trust by Nawab Mubarak Mahal in her will creating the trust, and is it also a fact that there is a provision in the aforesaid will that nobody shall have the power to deprive the trustee, i.e., Hakim Mirza Bande Mehdi Khan, of his office or the descendants of the trustee or any person appointed by the trustee as his successor to his office ?

22. Will the Government be pleased to lay on the table the Government order by which the present committee was appointed notwithstanding the aforesaid decision of the District Judge, Lucknow ?

23. Is it a fact that Muhammad Haider Raza Khan, who was a minor at the time of appointment of the committee, submitted a memorial to His Excellency the Governor for recognition as the legal trustee under the will of Nawab Mubarak Mahal and for being entrusted with the administration of the aforesaid trust instead of the committee ?

24. If the answer to the foregoing question be in the affirmative, will the Government be pleased to state what action was taken on the memorial and the reasons for the same ?

Kunwar Jagdish Prasad : As the subject-matter of the questions may form the subject of a civil suit, Government do not propose to make any statement.

CLERICAL STAFF OF THE ALLAHABAD UNIVERSITY.

25. Khan Bahadur Hafiz Hidayat Husain : (i) What is the percentage of the Muslims in the clerical staff of the Allahabad University ? What is the total number of such clerks ? How many of these are Hindus and how many Muslims ?

(ii) How many appointments have been made in the clerical staff of the Allahabad University since Sir Claude de la Fosse left the University?

(iii) How many out of these are Muslims?

(iv) What is the total number of Muslim clerks who have left the staff of the University since Sir Claude's retirement, either by transfer, retirement or dismissal?

Mr. Panna Lal : (i) 3·23 ; 31 ; 30 Hindus and one Muslim.

(ii) Sixteen.

(iii) Three.

(iv) Four, of which three resigned to take up better posts elsewhere.

OVERSEERS, SUB-OVERSEERS, AND CLERKS IN FATEHPUR LOWER GANGES CANAL AND BETWA CANAL DIVISION.

26. **Khan Bahadur Hafiz Hidayat Husain :** Will the Government be pleased to state separately the number of overseers, sub-overseers, and clerks serving in the Fatehpur Lower Ganges canal and the Betwa Canal division?

How many of these are Muslims?

The Hon'ble Sir Sam O'Donnell : The information is given below:—

Name of division.	Overseers.		Sub-overseers.		Clerks.	
	Total number employed.	Muslims.	Total number employed.	Muslims.	Total number employed.	Muslims.
Fatehpur, Lower Ganges canal.	5	..	11	2	8	..
Betwa canal division ..	6	..	6	2	7	..

GOVERNMENT PLEADER AT FATEHPUR.

27. **Khan Bahadur Hafiz Hidayat Husain :** (i) Who has been appointed Government Pleader at Fatehpur?

(ii) What are the names and the respective qualifications of the persons whose names were sent up by the District Magistrate of Fatehpur for the vacant post?

Mr. R. L. Yorke : (i) Babu Raj Chandra, M.A.

(ii) Appointments of Government pleaders are made by the Legal Remembrancer to Government on the recommendation of the district magistrate concerned, and not by the Government. Government cannot agree to disclose the contents of official correspondence.

THE UNITED PROVINCES ESTATES (AMENDMENT) BILL.

Khan Bahadur Hafiz Hidayat Husain : I ask for leave to introduce a Bill to amend the United Provinces Estates Act, VII of 1920. A copy of the Bill and of the Objects and Reasons is already with the honourable members.

Leave was granted.

Khan Bahadur Hafiz Hidayat Husain : I introduce the Bill to amend the United Provinces Estates Act, VII of 1920.

THE AGRA PROVINCE ZAMINDARS' ASSOCIATION
CONTRIBUTION BILL.

Rai Bahadur Chaudhri Jagannath Prasad : I introduce the Agra Province Zamindars' Association Contribution Bill.

The Bill was introduced.

Rai Bahadur Chaudhri Jagannath Prasad : I move that the Agra Province Zamindars' Association Contribution Bill be taken into consideration, discussed and passed.

The Hon'ble the President : Not "passed" yet.

Rai Bahadur Chaudhri Jagannath Prasad : I move that the Agra Province Zamindars' Association Contribution Bill be taken into consideration.

His Excellency the Governor-General and His Excellency the Governor of the United Provinces of Agra and Oudh, having been graciously pleased to accord the necessary sanction to the introduction of the Bill, and the Governor of the United Provinces having been further pleased to publish this Bill in the *Government Gazette*, I beg to introduce this Bill and ask that it should be discussed and passed by this Council. This association has been in existence from 1914. That the want for such an association must have been felt by the zamindars of the Agra province is clear from the fact that when this association came into existence almost all the prominent zamindars of the Agra province lost no time in joining it. The first patron of this association was Sir James Meston (now Lord Meston). Nothing has been said up to this moment against this association. The Bill, if passed into law, will be for the association and its members. It is a very simple and innocent measure. It aims simply at the easy and inexpensive realization of the contribution from its members. The zamindars of the Agra province belong to all parties in the province. It is a measure which I believe is liked by the zamindars of the Agra province. This Bill follows the lines of the British Indian Association Contribution Act, and I think all the taluqdars and zamindars of Oudh will support it whole-heartedly. I do not think there will be any serious opposition to the acceptance of this Bill. Its language is simple; its aim is quite clear. I think that this Bill, if passed into law, will be beneficial to all the members of the association and it will be a very convenient measure for the executive

[Rai Bahadur Chaudhri Jagannath Prasad.]

of the association. I do not think a long speech is needed in support of the Bill. I hope the Council will accept the Bill without any opposition.

The Hon'ble the President: The question is that the Bill be taken into consideration.

I want to point out one thing. At this stage nothing but the principles of the Bill can be discussed.

Rai Bahadur Lala Bihari Lal : I rise to offer my hearty support to the motion that the Agra Province Zamindars' Association Contribution Bill be taken into consideration. I do not think that this Bill has come a day too soon before the House. Owing to circumstances over which we have no control this Bill could not come before the House long before this, but now that it has come I hope that it will be supported by all the zamindars and non-zamindars in this House. I feel it a proud privilege that it has fallen to my lot in my dual capacity as a vice-chairman of the Agra Province Zamindars' Association and as one of the two elected representatives from the Agra Province Zamindars' constituencies to welcome this Bill on this occasion. I venture to hope, and I doubt not that my hope will not be in vain, that the distinguished representatives in this Council of the British Indian Association will extend to us their full, their whole-hearted and their unstinted support that we deserve. Their interests are our interests; we share the same aspirations and cherish the same ideals. They more than any one else can fully appreciate the necessity and the urgency of a measure like this. The difficulties that encompass us, the dangers that the swirling tide of time may bring to the surface, may as much adversely affect them as us, may impede their progress as much as ours; may endanger their security as much as ours. If occasions like this arise, as they have arisen in the past, then we can only hope for the legitimate safeguard of our interests by the show of that energy and determination which can be ours only if the two powerful bodies of the zamindar community from the province of Agra and from Oudh combine in future as they have done in the past. Such co-operation between the two bodies of the landholders of the Agra province and the Oudh province will be facilitated only if a similar body as the British Indian Association, enjoying the same privileges, will be functioning in the province of Agra. Their support on the present occasion will further cement the bonds that already bind us to them and them to us. It would only refer to the year 1920 when the British Indian Association Contribution Act was before the Legislative Council. At that time all the zamindars from the Agra province not only unanimously voted for the Act, but three most distinguished zamindars of the province, I mean the late Nawab Abdul Majid Sahib, Rai Bahadur Pandit Sadanand Pande and the late Hon'ble Lala Sukhbir Sinha, made this Bill their own and strongly supported it with their speeches. I therefore consider that our request to the British Indian Association representatives in this Council and also to the members of other parties will not go unheeded and they would kindly and heartily support this measure.

Now I would turn to the non-zamindar members of this Council and would utter a word of appeal and entreaty. Long has it been said that

the zamindars, whether of the provinces of Agra or Oudh, are playing the part of reactionaries and that we are siding too often with the bureaucracy in thwarting national movements. Sir, I do not plead guilty to this charge. There are zamindars and zamindars and it is not either fair or just that they should all be painted with the same brush.

The Hon'ble the President : As I have said in the beginning, at this stage, we can only discuss the principles of the Bill.

Rai Bahadur Lala Bihari Lal : I am only making an appeal to the House to support the Bill.

The Hon'ble the President : Let us confine ourselves at present to the principles of the Bill. It is no use bringing in these arguments now.

Rai Bahadur Lala Bihari Lal : I would say that this Bill is not without precedent. We have got not only in this province bills of this kind, for instance, the British Indian Association Act, but there are also other Acts such as the Act passed in 1903 by the Imperial Council—bills which benefit individuals and associations, just like the Hindu Endowments or the Muhammadan Endowments Acts, and therefore I hope that the House will kindly consider this Bill and pass it.

The Hon'ble the President : May I say that we are now concerned only with the first stage—that the Bill be taken into consideration—not that it be passed.

Rai Bahadur Lala Bihari Lal : All right, Sir, I say then that the Bill be taken into consideration.

Pandit Badri Dutt Pande : I represent the tenants, and I would be failing in my duty if I did not protest against this Bill being taken into consideration in this Assembly. The *Leader* has called it a curious legislation. I go further and call it an absurd legislation. Lord Morley said in one of his speeches that these small parliaments will bring up and pass any kind of wild-cat bills. I will call this Bill a wild-cat bill. Tomorrow the Congress will come and say "realize our subscriptions," then the Kisan Sabha will come and say "realize our subscriptions." Where will this all end? We know there are zamindars and zamindars. There is a fine type of noblemen who associate with the tenants, who are like parents (*ma bap*) to the tenants, and there are others whose record has been simply to give garden parties and dance attendance on officials. Who knows that this fund may also be used for the purpose of garden parties and tea parties and giving farewell addresses to such enemies of India as Dyers and O'Dwyers? We have had bitter experience of this. This is a party fund, and not a charitable fund. It is not a religious endowment fund, and it may be used probably for election purposes by designing persons. So we must lodge a serious protest against such bills, whether it be any high official who is prompting the Bill behind the scene or whether Government is the Godfather of it. Whichever it may be, we must oppose this Bill, as it is against the interests of the tenants and against all principles of legislation. Subscriptions should be voluntary—why make them compulsory? In the case of the British Indian Association Bill there was something noble in the scheme, that is, the Canning College was tacked on with it—there was some charitable motive behind it. But all progressive people would oppose that Bill also. While this

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is a purely political Bill, and as such should be opposed by all progressive people, and if the zamindars want a subscription why don't they give five or ten thousand rupees themselves--why this collection of four annas and three annas in the rupee? You can of course, if Government is so charitably-minded, collect the subscriptions of the Muslim League, Hindu Sabha and other public bodies also. But this is simply a political move to bring the zamindars of Agra together to give evidence before the Simon Commission, which has insulted us, and I think all those who have a head on their shoulders will oppose it.

Thakur Bikram Singh: It is my privilege to support the Agra Province Zamindars' Association Contribution Bill with the hope that it would be unanimously agreed that it be taken into consideration by this House. Since my friend, Rai Bahadur Bihari Lal Sahib, has so ably put the case for this Bill to be taken into consideration I do not propose to make any lengthy speech on this point. I am sure, and I hope that the zamindar members as well as other honourable members would agree that this will be a very great boon to the zamindar community as a whole. As my friend, Pāṇḍit Badri Dutt Sahib, has just said that he is afraid that the money will be spent on garden parties, and dinners, I am afraid he has not taken into consideration that there would be no compulsion on any zamindar to become a member. It is a matter of choice. Moreover, I regret to see that he has taken a partial view. He has sympathized with all sorts of sabhas, but not the zamindars. I hope, however, I shall be justified in asking for his kindness to be so good as to show his sympathies towards the unfortunate zamindars of the Agra province, and I hope he will not be so hard on them as at present. As regards squandering money on elections, and so forth, I may be permitted to say that, when the time of election comes, other leagues and organizations spend money for their candidates, and it is no wonder if the zamindars unite together to do something to justify their presence in the Council. With these few words, I hope and entreat my friend, Pāṇḍit Badri Dutt Pāṇḍe, to be good and kind to us, and support the Bill.

Thakar Manak Singh: It is a fundamental principle of legislation that it must contribute towards the greatest good of the greatest number. If you judge this piece of legislation with this canon my submission is that not only is it not supported by this principle for all legislation, but it is opposed to it and militates against this principle. Sir, what ultimately does the Bill come to? The Bill only says that we of the Zamindar Association want the Government to realize our subscriptions. I think honourable members will realize that this is a very trumped-up request to make to the Government that we are unable to realize our subscriptions and therefore Government should realize these subscriptions in case of default. Now, Sir, I want you to realize the implications of this. We know all the processes which are available under the Land Revenue Act for the realization of revenue. The Act provides not only ordinary remedies, but also for distraint and imprisonment of the defaulter. Bearing all these implications of the revenue-realizing processes in our mind, let us see what it comes to. It comes to this, that we are asking the Government to give its support in the matter of realization of subscriptions to such an extent that if there is any member who defaults in the payment of subscription then the Government

would be justified not only in putting him in prison but to distrain his property and so on and so forth. If you conceive this position in all its nakedness I hope you will concede that this is a very trumperry business which is being entrusted to Government. Apart from its being trumperry and apart from its being unedifying for Government to be entrusted with the business of realizing voluntary subscriptions to the association, as I said, it is opposed to the fundamental principle of taxation, and it will not be very beneficial to the zamindars themselves. If an association has justification for its existence, then its members are supposed to be so much interested in its well-being and upkeep that they will render all voluntary assistance which is necessary for the maintenance of the association by the provision of funds, etc. But if an association has not justification for its existence, if there is no *raison d'être* for its existence, then in cases of that kind the members of that association are perfectly justified in refusing any assistance to it by not paying their subscriptions to it. If a member under certain contingency, by some accident, happens to enrol himself as a member of this association then his representatives, heirs, assigns, and successors are liable for all time to come to pay under the process of law. This is a position (to state it mildly), which reduces it to absurdity. My friend, Thakur Bikram Singh, has addressed an appeal *ad misericordiam*. It sounds very strange that for a piece of legislation of this kind my friend should have the cheek to address an appeal of that kind. As I have said before, the one inspiring motive for this piece of legislation is for the zamindars to make hay while the sun shines. They have a sentiment that they are now in a majority in the Council, and that the Government as it is at present constituted is in a mood, for reasons of its own, to bolster up an absurd demand of this kind. Therefore the zamindars say the sun shines and we must make hay. Now, Sir, I think it is very dishonourable for people to take advantage of the existing circumstances for a purpose of this kind. If the zamindars in the Council are in a majority, it would be dignified if they brought forward here proposals which are reasonable and then everybody would be willing to support them. But to ask for a thing for which there is no justification and for which no reasonable-minded man would ask is, I submit, not a reasonable and honourable course, all the more so because they happen to be in a majority. I submit that for a strong section of the Council it is not honourable to take advantage of its strength for a purpose of this trumperry kind, and it is simply abusing the Council, which is designed to serve the best interests of this country. I submit, therefore, that this Bill ought not to be proceeded with, not only because it militates against the fundamental principles of legislation, but because it is not honourable for the zamindar section of the Council to press it into service.

With these observations I oppose the consideration of this Bill.

Rai Bahadur Thakur Hanuman Singh: I rise to move an amendment to the motion of my honourable friend, Chaudhri Jagannath Prasad Sahib. The amendment which I move is—that the Bill be referred to a select committee.

The Hon'ble the President: There are amendments in the name of other honourable members which ought to be moved first. I think the honourable member cannot move his amendment yet.

Pandit Venkatesh Narayan Tivary : I rise to move an amendment to the motion before the House in these terms—that the Bill be circulated for eliciting opinion thereon before the 1st of April, 1928. Before I state the reasons which have led me to move this amendment I should like to explain, as briefly as possible, the position, which I am going to adopt in regard to this measure. So far as the objection to the Bill on principle is concerned, I am entirely at one with those who have opposed it. But, Sir, considering the fact that a similar concession has been made in the case of an association which is located in this city of Lucknow, I am prepared to support the underlying principle of the Bill, not because I am satisfied that it is right in principle, but because from bitter experience we have found that the absence of an association like this has been detrimental to the interests of the Allahabad city as well as to those of the province of Agra. For this reason, I am prepared to waive my objection on principle to the Bill on the ground that it is the lesser of the two evils.

Having stated this in justification of the position which I am going to adopt in regard to this Bill, I should like to invite the attention of the Council to one or two facts in connexion with it. I am really surprised that so esteemed a member of the Council as the honourable member for Unao should have made himself responsible for a motion of this character. He, Sir, is a distinguished legal luminary of one of the towns of Oudh. He ought to know that when a Bill of this character is introduced, sufficient time should be given to the public of the province as well as to the persons who are most vitally interested in the measure for an expression of their opinion. He has not only not done so, but he has not suggested even the reference of the Bill to a select committee. A good deal has been said by the speakers in support of this measure, and a good deal has been said about the British Indian Association Contribution Act. But those who have referred to the latter as a precedent should have remembered and brought it to the notice of the Council that that Bill was not carried post haste through the Council. The Bill was referred to a select committee; it was published in the gazette, not only in English but also in Urdu; sufficient opportunity was given to the opponents of the Bill to submit representations to Government, if they so desired, against the principle or any provision of the Bill. But my honourable friend from Unao does not consider that there is any need either to circulate this Bill for eliciting opinion or to refer it to a select committee. If he will carefully scrutinize the language of the Bill, he will find that it is full of defects which can be remedied only if the Bill is referred to a select committee. It is true that it has been published in the gazette; but when was it published? It was published in the gazette of December 3, 1927, and today is December 19. The Council is asked not only to take the Bill into consideration, but also to pass it. Is that fair? Is that right? Is that proper? To those who are anxious that this Bill should be carried, that this Bill should be placed on the Statute Book, I suggest that it was in their own interests not to have resorted to these methods which have an appearance of arbitrary methods. They ought to have conciliated the opposition, if there was any in the province. Are they afraid in their heart of hearts that if this Bill is circulated for eliciting opinion, there will be such an outcry from the various parties, from the various sections of people, in this province, that there will not be the ghost of a

chance of its being brought forward in this Council? Is it believed that all the zamindars who are going to be affected by this Bill are in favour of the provisions of this Bill? I come from Allahabad. The association is located at Allahabad. That being so, I thought it my duty to consult some of the most prominent zamindars of that district, and I wanted to find out what their opinion was in regard to it. I saw more than a dozen gentlemen, I pleaded with them. I put to them all the arguments in favour of the Bill and what did one of them say? But before I say what he did say, I would like to tell the House who he was. Who is he? He is no less a personage than the Raja Bahadur of Manda, one of the Vice-Presidents of the Agra Province Zamindars' Association. Similarly, there is another gentleman, the Raja of Daiya, who is also opposed to certain provisions of the Bill. There is again the old and distinguished Raja of Bara who is opposed to it. Lala Manmohan Das was asked in the presence of his cousin, an honourable member of this Council, I mean Rai Bahadur Lala Bihari Lal, to join the association on the 16th of this month, but he flatly declined to do so, if this Bill was going to be adopted. Similarly, Nawab Muhammad Isa, Mr. Agha Ali Khan of Daryabad Mr. Jagat Narayan of Sirathu, and a number of other gentlemen are opposed to the Bill. Some of the zamindars paying land revenue of more than Rs. 5,000 per year have told me to explain to the Council why they are not in favour of this Bill. What did the Raja Bahadur of Manda say? The Raja Bahadur says that this Bill is wrong in principle. It interferes with the personal liberty of the members. It is said that so long as they are in favour of the aims and objects of the association, so long as they are satisfied that the association is being run on right lines, they will support it. But why should they be compelled to remain a member of an association if and when they find that they are no longer in sympathy with the aims and objects of that association? But that is not all. There is yet another fact which I would like to bring to the notice of this Council. This morning when I came to the library I found a letter addressed to me as well as to other members of this Council by the Honorary Secretary of the United Provinces Zamindars' Association of Muzaffarnagar. This letter enclosed a copy of a resolution which was adopted by that association on December 9, 1927. The resolution, which I am going to read to the House, was moved by no less a personage than Lieut. Nawab Muhammad Jamshed Ali Khan, M.L.C., who is the President of the Muzaffarnagar Association, and it was seconded by the Hon'ble Rai Bahadur Lala Jagdish Prasad, M.L.C. The resolution says:—

"The meeting, thereupon, unanimously resolved that this association agrees with the main principle of the Bill of realizing its dues through the agency of the Government, like the British Indian Association, Lucknow, this being considered necessary in order to keep the financial position of such associations in sound condition. This meeting, however, regret to see that the United Provinces Zamindars' Association, Muzaffarnagar, is not included in this Bill. . . " The existence of this association is equally or rather more important than the Allahabad Association, this association being much older and more representative, and looks after the interests of the large as well as

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the small proprietor who form a large majority of the land-owning classes of the province of Agra. The meeting does not propose to oppose this Bill, but requests all the members of the United Provinces Legislative Council to give their earnest consideration to this matter which affects this association so vitally and have the Bill referred to a select committee which may review the measure in its several aspects and amend it to include this association also. Failing this, a similar Bill is proposed to be brought before the Council for this association and the association would request the support of every member now supporting this measure."

This is the resolution adopted by the Zamindars' Association of Muzaffarnagar. They have already told us that either we must include their association also as one of the beneficiaries under the Bill which is now before the House, or a similar Bill will be brought forward at an early date before the Council for consideration. Now which is the provincial association? Is it the association of which the Hon'ble Lieut. Jamsheer Ali Khan, M.L.C., is the President? Or is it the association of Allahabad of which the Hon'ble Minister for Local Self-Government is the chairman? Or is it that there are two provincial associations in the province of Agra? How many special Acts are we going to adopt for the benefit of these special associations? What will happen if tomorrow the zamindars of the eastern districts, headed by the Hon'ble the Raja Sahib of Tamkoshi come forward before this Council and ask for a similar Bill to be passed for their benefit? I therefore suggest—and it is the strongest argument which I can urge in support of my amendment—that this Bill should be circulated for eliciting opinion that an opportunity may be given to the leading members of both associations to come to some settlement. This unseemly fight on the floor of the House will be most undesirable. It will not be in the interest of the zamindars themselves that they should be making an exhibition of their differences in the Council Chamber. I therefore suggest that all those zamindars who are interested in the well-being of their order should bear this fact in mind that if they support my motion for the circulation of this Bill they will be thereby enabling the leading members of the two associations to come to some agreement—if it is possible to arrive at an agreement in a matter like this.

It is stated in this resolution that the Bill should be referred to a select committee. Let me make it clear to the President of the Muzaffarnagar Association and to Rai Bahadur Lala Jagdish Prasad that mere reference to a select committee will not enable them to achieve the object which they have at heart. A select committee cannot enlarge the scope of the Bill. This Bill is definitely limited to one particular association. Further, if they are anxious that their association should also be included in this Bill, that can only be done if it is circulated for eliciting opinion and a fresh Bill is provided in the light of such criticism as may be received thereon.

There is a third point that I should like to bring to the notice of this House. It has been said that the British Indian Association Contribution Act is a precedent for a measure of this character. But those of us who have studied the proceedings of the Legislative Council for 1920 in regard to that Bill will find that the analogy is not at all complete.

What did Pandit Jagat Narayan, who was responsible for the introduction of that Bill in that Council, say? He said that had it not been for the Canning College he would not have made himself responsible for a Bill of that character. His exact words were:—

"I may inform the Council that by this deed of endowment a charge was created on taluqas to the extent of one per cent. of the Government revenue, and it was stipulated that out of this one per cent. a certain percentage should go towards the maintenance of the British Indian Association. My submission is that the two parts hang together. You cannot do away with the one and keep the other."

Pandit Gokaran Nath Misra, who was also a member of the Council at that time, said the same thing. He said that had it not been for the Canning College he would not have supported that Bill. Similarly, His Honour Sir Harcourt Butler, who was in the chair at that time, said that the Government is bound, positively bound, to support a measure of this kind which merely gives legislative effect to the practice of half-a-century, to which practice the Government has been an active party. Now let me explain the significance of this statement of His Honour Sir Harcourt Butler. Let me mention to the House that, as early as 1864, there was a proposal that a memorial should be erected in memory of Lord Canning, and at the suggestion of the Government officials it was decided that that memorial should take the form of a college to be located at Lucknow. It was in this connection that the taluqdars executed deeds creating a liability on their property to the extent of one per cent. of the land revenue to be paid year after year for the maintenance of the college and a portion of that was to be utilized for the maintenance of the association. Nearly 60 per cent., if not more, of this one per cent. is even now, even today, utilized for the maintenance of the Canning College, and the Colvin Taluqdars' School. Therefore, from 1864 onwards, with the consent of the taluqdars as shown by the deeds which they had executed, Government had been realizing this amount as a kind of cess. It was found in 1919 that there was a danger of a good deal of litigation because the properties of some of the taluqdars had changed hands and the new owners were not prepared to accept the liability which had been incurred by the old taluqdars. In order to prevent this flow of litigation this Validating Act was found necessary. Therefore, in the words of Pandit Jagat Narayan, I will say to those who want to treat the case of the British Indian Association as a precedent, to bear in mind this fact. Pandit Jagat Narayan said: "If my friend, Rai Tara Dutt Gairola, would satisfy the Council that there was any association in existence the members of which have entered into an agreement with the Government that their dues be realized by Government, and further if he satisfies the Council that it was for the public good that these dues were realized by the Government and that they have so been realized for the last forty years, I assure him that I will be the first person to support him. So long as these circumstances do not exist, there can be no analogy between the Liberal Association or the Kisan Sabha or any other sabha now existing and the British Indian Association." Therefore, on whatever other grounds the case for this Bill may be stated, it cannot be on the ground that there is already a Bill of this character on the Statute Book. The circumstances which would justify the passing of that Act are not

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present in the present case and I therefore most respectfully should like to suggest to the supporters of the measure, to give as many arguments as they like in support of the motion which has been made by my honourable friend, the member from Unao; but, for God's sake, let them not bring the case of the British Indian Association. It is not a precedent; it does not apply to the present case at all.

Now, I took, a little while ago, the liberty of mentioning the names of some of the prominent zamindars of the district of Allahabad who are opposed to the Bill in its present form. Who knows how many more zamindars there may be, not only in the district of Allahabad, but in other parts of the province also, who may be opposed to the provisions of this Bill? Why should we not give them an opportunity to express their opinions? I should like to put one straight question to the honourable mover, and it is this: Is he satisfied that this Bill was ever placed before a general body of the association on whose behalf this Bill has been introduced? My information is that it was placed before the Managing Committee of the Association, and that that particular meeting of the Managing Committee was attended by not more than half-a-dozen persons. Is it on the strength of the support of these half-a-dozen persons that he has come before this Council asking for its support? More than 800 big zamindars are going to be affected by the provisions of this Act. You are going to make them liable for this contribution year in and year out, not only so long as they are alive but so long as they have got any heirs or successors or assigns. Is it fair; is it proper: is, it just that a Bill of this drastic character should be passed through the Council without giving any opportunity to the big zamindars who are going to be affected by it? I therefore suggest to those who have got the interest of this association at heart that it is in their interest that they should invite as wide publicity as possible of the provisions of this Bill. They should carry as strong an agitation as there can be in support of the provisions of this Bill. Let them try to conciliate opposition, if it is found to be existing in any quarter; but until they have done so, and until they have satisfied the Council, that there are not two provincial associations; that there are not two rival associations in the province at all, it is not proper that a motion of this character should be made in this Council. With these words I commend my amendment to the motion of the honourable member for Unao.

Khan Bahadur Hafiz Hidayat Husain : In rising to give my support to the motion of my friend, the member for Unao, I desire to make a few observations regarding the criticisms that have been levelled against the motion. I will begin with my friend, the member for Almora, Mr. Pande. He has described this measure as an absurd piece of legislation, but has given no reason whatsoever for the adjective he employs. He then stated, again without giving any reason, that this measure is directed against the interests of the tenants. I am not sure if he has any reason to show that this legislation will operate adversely against the interests of the tenants. He seems to me to have echoed the speech delivered by Mr. Chintamani when the British Indian Association Contribution Bill was on the anvil in March, 1920. Mr. Chintamani then said that that Bill would operate harshly against the tenants because the subscriptions and the donations realized more easily by means of that legislation.

might be utilized against the tenants if an amendment of the Act of 1886 was introduced in the Council, and took the form of giving greater legislative protection to the tenantry. We have seen that an amendment to the Act of 1886 was introduced, and we have also seen how liberally, how generously, the taluqdars of Oudh treated their tenants, despite those funds, and despite the peculiar circumstances then existing. For the first time in the history of legislation, rights were conceded to tenants which had never been given before, which had never been given in any province in India, that is to say, life tenancy. It was for the first time that this right was asked for, and it was asked for in the province of Oudh. We of the Agra Province adopted it in our own Agra Tenancy Act. I say this to show that at least for a few years to come there would be no fresh tenancy legislation in this province and therefore it cannot be said that the money that will be realized as subscription for the Agra Province Zamindars' Association through the agency of this enactment will be utilized adversely to and to the disadvantage of the tenants of the zamindars. Then, Sir, my learned friend stated that subscriptions should always be voluntary and should be realized voluntarily. This opinion was also shared by my friend on the right. Well, Sir, this involves a very large question, and that question put in a nutshell is this:—"Should legislation help realization of voluntary subscriptions by coercive measures."

I put it tersely to show that, in the eventuality of steps for coercive measures arising, is it right for the legislature to enact a measure which would legalize these coercive measures for the realization of permissible payments or voluntary subscriptions? Well, Sir, I do not know if this would be a very novel idea. I see no novelty in it. Persons acquainted with the history of legislation in this country know well that there are precedents practically on fours with what is sought to be done by this Bill. I might refer to the Tea Cess Act of 1903, which was introduced and passed in the Imperial Council not only for the benefit of tea-growers, but also for carrying on certain propaganda work. The Government of India came to the help of tea-growers and enacted a class legislation to help them to carry on a work of much less public utility than the present Bill covers. We also know that another Act was passed in 1923 after the British India Contribution Act, viz., the Muslim Waqfs Act. All these measures are examples of class legislation, it is immaterial that they embrace the entire Muslim element in the country, or the entire Hindu element in the country, the outstanding fact being that by means of these legislations private acts of individuals or classes are consecrated and get legislative sanction. Therefore my position is that if a certain objective has got sanction of a religious law or sanction of a body of persons formed for the purpose of their own uplift which is not to militate to the disadvantage of any other body of persons or class, I do not think that there is anything inherently wrong in the Government taking an interest in that objective or endeavouring to give legislative sanction to it, provided other requirements are fulfilled.

It has been said that funds drawn by means of this legislation might be frittered away in giving garden parties, dinners, and other entertainments. A list of the members of this association is before me, and I find in that list names of such persons as the Raja of Awagarh, the Raja of

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Tirwa, Raja Kalicharan Misra, Raja Sri Krishna Dutt Dube of Jaunpur, the Hon'ble the Home Member, Maulvi Obaid-ur-Rahman Khan, Major Ranjit Singh, Babu Shyam Lal and other distinguished zamindars of the province. If these gentlemen decide to give a garden party or any social entertainment to a man of position, I would take it as *prima facie* evidence that the gentleman to whom that party is given or who has been entertained like this does rightly deserve it from that body.

Now some weighty arguments have been advanced today by my friend, Pandit Venkatesh Narayan Tivary against the motion of my friend from Unao. The honourable Pandit is, of course, prepared to support the principle of this Bill in order to strengthen its financial position, I think, because the absence of an association like this, he thinks, is a drawback to the activities of his city. I should think that holding this opinion he concedes a good bit. He concedes that the Agra Province Zamindars' Association is a body that does at least mould the opinion of the zamindars of the province to the good; he only takes exception to the motion of my friend from Unao, who submits to this House that the Bill be taken into consideration at once. Mr. Tivary objects to the motion because in his opinion the zamindars of the province and others who may possibly be affected have had no opportunity whatsoever of examining and criticizing the provisions of this Bill. Well, Sir, the fallacy in this argument is this. This Bill refers to, and will govern only such of the zamindars as are today or may become later on members of the Agra Province Zamindars' Association by fulfilling the qualifications required for membership, that is, payment of five thousand rupees for revenue, and therefore this Bill affects only a limited class of persons who are or may become members of the association later on. I am authorized by my friend, Major Ranjit Singh, the Secretary of the Association, who is present here, to say that Mr. Tivary is wrong when he says that the opinion of all the members of the association had not been elicited. I am authorized to state that this Bill was circulated to all the members of the association and it has their unanimous support. It cannot, therefore, be said that this Bill was not given due publicity and that support to it even from the members of the association is lacking. My point is that because this Bill will affect only a particular section of the community, and that section has blessed it in unambiguous language, the argument of my friend based on this assumption is untenable. We in this House have got to consider the Bill on its own merits, and if we are satisfied that the Bill should find a place in the Statute Book we as representatives of the province could easily supplement any lack of public criticism that could legitimately be made from quarters not directly affected by it.

It is stated here that this Bill was published a few days ago and has been brought for discussion just a few days after publication. True, it was published only a few days ago. I would have taken very strong exception to the Bill being brought for consideration today, had it not been for the fact that long before it was published in the gazette, all those who were affected by the Bill directly had plenty of time in which to cogitate over its provisions and the Bill is an outcome of their cogitations.

It was said again by my friend Mr. Tivary that there are two associations in this province, the Muzaffarnagar Association and the Allahabad Association, the former association being presided over by no less distinguished an individual than Nawab Jamshed Ali Khan, who is a member of this Council. Well, Sir, am I to understand from the wording of the resolution that has been read by Mr. Tivary, and which was sent to me also, that the members of that association objected to the consideration of this present Bill unless and until it was circulated for their opinion or was referred to a select committee in which their opinion was also represented? I do not think that is their meaning. On the contrary, all that they emphasize is this that they will want a measure like this separately for their body also; separately for the reason that in the Allahabad Association membership is confined to zamindars who pay over Rs. 5,000 as revenue, but there is no such limitation for the membership of the Muzaffarnagar Association. Of that association any person who is a zamindar and pays only Rs. 200 for revenue can become a member. Thus the membership of this association and the membership of that association do not stand on the same footing or level: a zamindar who can become a member of the Muzaffarnagar Association may not be entitled to membership of the Allahabad Association. I, therefore, do not think that the members of that association as such object to the consideration of this Bill by the Council unless it was so framed that the Muzaffarnagar Association was also included in its ambit.

Sir, a great deal has been said with regard to the disparity in the position of the British Indian Association and that of the Allahabad Association. When the British Indian Association Contribution Bill was introduced in 1920, both the late Hon'ble Nawab Abdul Majid and the late Mr. Sinha stated, in explicit and unambiguous terms, that they would welcome a measure like that for the province of Agra, and that they gave their support to that Bill mainly for the reason that the members of Oudh would give them their support whenever the members of the Agra province thought it fit to bring a measure like the one before us. Therefore, my submission is that as far back as 1920 the magnates of both associations thought that it would be necessary to introduce a similar measure for the province of Agra.

Then, Sir, it has been stated that the position of Oudh is quite different from the position of the Agra province. It is true only in detail. A history of the British Indian Association has been given, and it has been said that there the payment used to be made voluntarily long before the Bill for Oudh was introduced. The mere fact that deeds of endowment were drawn up in 1864, charging the property of the taluqdars, does not go to show that the payment that they were then making towards the maintenance of their association was anything but voluntary even after the deeds of endowment had been executed. The only difference being that the promise in Oudh was written promise, when compulsion was asked for; here in this province the promise is oral. What difference does it make if the promise to pay the money is oral or written? There are 320 members in the association today. These 320 members pay a revenue of more than fifty lakhs. The amount of subscription they pay to the association is, roughly

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speaking, Rs. 12,000 a year. Out of this about Rs. 6,000 are realized every year. The donations realized have been about Rs. 35,000 during the last two years, excluding the amount specially raised for building purposes.

What the association now wants is that a measure should be passed so that the payments will be regular and the money due to the association from the members not paid in time and with alacrity, human as it is, will be realized. Twelve years ago this association was registered, and since then it has done some very good work. Its money has been spent on useful objects—for instance, in connexion with the Magh Mêla last year, the agricultural exhibitions, and the Leper Asylum at Naini.

(Questions of—"How much? What amount? etc.)

Whatever it be—that is immaterial, the money has been spent on laudable objects. If the money has been utilized like this, I do not think it is right to say that all the money, realized on account of subscriptions, may be available for dinner parties, tea parties, etc. I think this legislation is deserving of sympathy of this Council, and I hope the motion of my friend from Unao will find ready support from the members of this House.

Mr. A. P. Dube: I am afraid I do not agree with the honourable speaker who has just sat down, because I do not think that any correct principle is involved in taking this Bill into consideration. On the contrary, with all respect, it seems to me that the exquisite confusion of ideas involved in the presentation of this Bill should, in my humble opinion, be sufficient to rouse the sense of comedy of this Council. A certain number of zamindars, gentlemen of a non-producing class, under the high sounding title of "mahipatis" (lords of the world) have formed themselves into an association on a voluntary basis. They find that the subscriptions so voluntarily promised by the members cannot be realized. They, therefore, demand that these subscriptions should be compulsorily realized under the sanction of the law. Public servants, who are already overworked, should now undertake this additional burden and realize subscriptions for a handful of zamindars—for 320 zamindars—some of whom are not public-spirited enough to pay their subscriptions, and whose office-bearers are not efficient enough to realize them. Sir, I ask where is the good of the country, where is the good of the province, where is the necessity for such legislation? The office of this legislature, if I may use a Roman expression is "*Salus Populi*" for the good and safety of the province and not for the collection of subscriptions for the zamindars. We might, at this rate, soon expect that this Council will be called upon to say that henceforth none but angels shall be the cooks of these zamindars. Sir, a body of men who have united in a voluntary group is now attempted to be converted into a conscript association: men who came in as members absolutely free to join or leave must now, for their own lives and through the lives of their heirs, successors and assigns, be bound to the chariot wheels of this association. Look at the implications of this law. If a member of the association lives and learns the truth of the ancient saying *Delenda est aristocratia*, that aristocracy must be destroyed, and he resolves that he would rather fight under the banner of democracy, he must still continue to be a member, a promoter, and helper of a clique of zamindars paying over

Rs. 5,000 as Government revenue. Not only this, but with the advent of more light, with the spread of democratic ideas, if the heirs, successors, and assigns of this member ever think of emulating the example of the Japanese Samurai or of nobles in other lands, and they resolve that they will give up their privileges and work for the proletariat, this brilliant legislation should operate as a bar sinister to the consummation of such a public-spirited sacrifice. Sir, put tersely, these are some of the amiable and worthy, high-souled and patriotic objects which this class of legislation is supposed to achieve. Bind the present members their successors and assigns for ever. Lock them up in the dark dungeon of this grandiose Mahipati mandal, and in the meantime lend your already over-worked officers to collect their subscriptions. This is the gist of this ridiculous Bill. Sir, a carping critic may ask, —What are you good for if you cannot even realize your own subscriptions? Could the force of enervation and futilization go any further? These charming people have no faith in their own powers to free themselves from the position in which they cannot realize their own subscriptions. Having no faith in their own doctrines and methods these nice people ask the extraneous help of this Council in maintaining their membership by a most iniquitous piece of forcing and compelling legislation. That, too, in a matter which should, by all the rules of decency, depend on the free volition of the members themselves. I was also going to ask the honourable member for the district of Unao who is the ostensible sponsor of this Bill; or the Minister of Local Self-Government who is really the put-alive and foster-father thereof, if he were present here, the same question which was put by an honourable member as to whether there was a meeting held of this glorious Mahipati mandal in which this Bill or the idea of this Bill being introduced in the Council was ever put before them? We find that a meeting has not been held, but the Bill has been circulated only for the information of the members. This Bill is in English, and I beg to ask whether this Bill was translated and circulated or not. But the point is how many defaulters are there who have not paid their subscriptions? Was any effort made to secure their presence at this meeting? I would go so far as to ask has any opportunity been given to these defaulters to resign their membership before they get irrevocably caught in the net of this perpetual and inalienable mortmain. If not, what justification have these members in bringing forward this Bill? And circulating the Bill in English is one thing: to call a meeting to have the pros and cons discussed and to give the fullest information to those who are present is entirely a different thing. I would have called myself bold as brass if I had brought this Bill before the Council without having any meeting preliminary thereto. The question, however, before this Council is this—Is this Council going to bind the members, their heirs, and successors and assigns behind their backs when they had no opportunity of understanding the implications of this Bill, when there has been no meeting where a discussion could have taken place, when they have not been taken into confidence at all?

The honourable member who has just spoken has given certain figures regarding subscriptions and membership. He has stated that there are 320 members of this Anjuman zamindaran, I happen to have in my hands

[Mr. A. P. Dube.]

the annual report, and the annual statement of income and expenditure for Fasli 1333, dated September 30, 1926. I understand that after that the Agra Province Zamindars' Association has not thought it fit, has not condescended, to issue the annual report. Therefore this is the authorized report which I would like you to see. There it is stated that the arrears amount to Rs. 1,361-12-6; the current subscriptions are Rs. 4,053-11-4, total Rs. 5,415-7-10. Therefore the arrears of this Association amount to Rs. 1,361-12-6. Do you require the promulgation of a law to realize this paltry amount? I say, is it not preposterous to ask for legislation for such a sum? And even if you take the whole of the subscriptions, viz., Rs. 5,415, is it necessary that you should pass a law to secure payment of subscriptions to an association of that sort? If you are going to legislate for an association like that, where are you going to draw the line? Will not every association of men be able to come before you and claim from you the same privilege? Will not every provincial and district Congress Committee, every Kisan Sabha, every Arya Samaj organization, every Hindu Sabha, every Muslim League, every Suddhi and Sangathan and Tabligh and Tanzim organization be able to say—"Good sirs, here is our association for which our members have promised to pay their subscriptions, but will not pay. Our work is for the public and our intentions are charitable, and according to the aims and objects of the Anjuman Zamindaran we will also give advice to the Government when it wants it and even when it does not want it. We will promise to perform all those duties which the Zamindars' Association has imposed upon itself. Therefore, help us by legislation to realize our subscriptions. If you want we will amend our rules and objects as much as you like and come into the closest conformity with the Zamindars' Association." How can you refuse such a request without being absurd and laying yourselves open to the charge of grossest partiality? The honourable member who has just sat down has told us that the honourable member for the Allahabad district has stated that there is demand for this. But he has not stated the principle. The principle is that if you are going to legislate in this way for the zamindars you cannot with any face refuse the same privilege of legislation for every organization. Then what will be the result? If you are going to legislate for the sake of 320 members, then you will have to create legislation for millions of men, for 46 millions of people inhabiting these provinces. The result will be that the legislature will be reluring itself to absurdity. With so many Acts, even carts will not be able to carry them; the officers whom you want to realize the subscriptions will not be able to cope with the work and the result will be confusion, unless the majority of the members of this Council, I mean the zamindars, want that they should have preferential treatment, that legislation should be made only in their favour and should stop there. Therefore, Sir, I say that this legislation is entirely misconceived. I say that if the Government is going to countenance this legislation it will be acting with partiality. The business of this Council is not only to legislate but to hold the balance even between all classes—zamindars, kisans, landlords, and tenants. If you refuse legislation for the tenants and kisan sabhas and pass this legislation for the zamindars it will be very wrong. If there is going to be partiality let

the Government have some justification for taking this legislation by giving similar opportunities for those who are wealth-producers, who pay the bulk of the revenue, who do not fatten upon the poverty of their class as flies fatten on filth. I will ask the Council to consider what another phase of this Bill is. It is this. It is well known that the Hon'ble Minister for Local Self-Government has written letters to members of this Council, letters marked "Private and confidential." He has been expensively canvassing for the support for this Bill. It is impossible that he should have done all that without the full support or, at any rate, the tacit connivance of the Government. If that is so, the Bill is a Government Bill, and there is an obvious object in sponsoring it, and that is, to stem the rising tide of popular advance. Mrs. Partington again attempting to mop the advancing ocean. The Council should not, therefore, lend its support to a bill which, though ostensibly brought by a private member, is in fact a Government one.

The honourable member who has just preceded me, as well as several others, have remarked that there are already in existence measures connected with waqfs and charitable endowments. In this, I regret to say, they have displayed their profound ignorance of the law. It is a well-known principle of law that when there is a charity or a public object to be served one can legislate for a small body of men, and also for the upkeep of the committee of management. In the present case, however, there is no charity at all, and in support of this view of mine I could quote distinguished authorities. It has been acclaimed that one object of the association will be to assist and support charitable institutions. This is not enough. If you agree to pay money to charities at a future date it is not creating a charity, and so the present legislation cannot be said to be in favour of charity. It appears, therefore, that the Agra Association is out to rival the British Indian Association. The British Indian Association have got a legislation in their favour, and so the Agra Association must have it too. If tomorrow the British Indian Association decides to go to the Netherlands the Agra Association will, I believe, endeavour to outstrip the other in reaching that beautiful land before the British Indian Association. Several honourable speakers have spoken about the Canning College and the British Indian Association Contribution Act, IV of 1920. It is said one false step leads to another. It would, indeed, have been all to the good if the interests of the Canning College, which was undoubtedly a charity, had been kept separate from the subscription-collecting for the British Indian Association about which it was doubtful if it served any public or charitable object. But as a lawyer I again say that the whole scheme is capable of being looked at from this point of view that the Taluqdars of Oudh had decided to create a charity, and by means of registered deeds had agreed to subscribe for the upkeep of that charity. No honourable member can say that up to that time it was not perfectly legal. In those deeds they had agreed that the charity would be managed by the British Indian Association, and some powers were also given to the Government to manage the Canning College. There was, therefore, a clearly created charity, viz., the Canning College, in which anybody may go and read, and the committee of management for this charity, viz., the British Indian Association and Government also had certain powers reserved.

[Mr. A. P. Dube.]

to it. If therefore, in attempting to maintain the Canning College, the zamindars paid something for the upkeep of the committee of management, and if the Government, which was also a member and had certain duties of management, was also going to realize the contributions, there was nothing unnatural in that. When the legislation came on, it had for its object the maintenance of a charity and its committee of management. There is no analogy between that legislation and this legislation. In conclusion I would say that it would not do for this association to imitate others. I would, therefore, say—let this association live by drawing fresh air by its own lungs and not crave for oxygen and artificial respiration straight away. It would not do to quote a prior legislation in favour of the British Indian Association. Nor would it do, as it is sometimes said in private conversation, that there has been legislation in favour of trade unions. Trade unions legislation deals with questions dealing with the life and death of a nation and the issues involved are very very serious. They cannot be compared with the objects of this tinpot Bill. I hope the honourable member for Unao will not make too much of his tinpot tragedy if this Bill is thrown out. Nobody need give himself momentous airs over this trifling affair.

I would, therefore, ask the Council that this Bill should not be taken into consideration.

At this stage the Council was adjourned for lunch.

After the recess, the Deputy President took the Chair.

Lieut. Nawab Muhammad Jamshed Ali Khan: I am glad and thankful to my honourable friend, Pandit Venkatesh Narayan Tivary, that, though he meant to strengthen his arguments to oppose this Bill, he had to show some regard for the Muzaffarnagar Zamindars' Association.

تھیں لگے سے دیکھتے رہے دیکھتے تو ہیں * میں شاد ہوں کہ ہوں تو کسی کی نگاہ میں۔

Sir, I want to clear my position, being the President of the Muzaffarnagar Association, by saying that neither I nor my association is in any way hostile to this Bill. Sir, the Zamindars' Association of Muzaffarnagar has two proposals: one proposal is that the Bill be referred to a Select Committee in order to amend the Bill in such a way that the Zamindars' Association of Muzaffarnagar be also included in this Bill. As far as I know it is beyond the power of the Select Committee to include this provision in the Bill, and so I am not at all keen to refer the Bill to a Select Committee. At the same time I see that all the members of the Allahabad Association are very keen to get this Bill passed as soon as possible, and undoubtedly they have taken great pains to get the sanction of the Government of India. I, on behalf of the Zamindars' Association of Muzaffarnagar, state that my association does in no way wish to stand in their way. The other proposal of the Zamindars' Association is that if it is impossible to refer the Bill to a Select Committee, or to get it amended so that the United Provinces Zamindars' Association of Muzaffarnagar be also included in it, then we propose to introduce another Bill and will ask the honourable members of this House to give their full support to it. With these few words I resume my seat.

Rai Bahadur Lala Jagdish Prasad : I beg to move that the Bill be referred to a Select Committee.

The Deputy President : The motion now before the House is for the publication of the Bill to elicit opinion, not for reference to the Select Committee. The honourable member may speak if he desires on the motion before the House.

Rai Bahadur Lala Jagdish Prasad : Can my motion not be moved as an amendment to the amendment of Mr. Venkatesh Narayan Tivary?

The Deputy President : Not until the motion before the House is disposed of.

Sri Ganesh Shankar Vidyarthi :

जनाब प्रेसोडेन्ट साहब !

मैं यह सोच रहा था कि मैं इस बिल का समर्थन करूँ या मोझालिफ़्त करूँ। सोचते-२ आखिरकार मेरे दिल में यह बात आई कि मैं इस बिल का सपोर्ट करूँ। मुझे ज़्यादा वाक़फ़ियत नहीं है कि इस तरह के बिल के मुताबिक़ आगे क्या होता है। लेकिन यह देख कर कि इस बिल का मन्शा क्या है मेरे दिल में कुछ ख़यालात पैदा हो रहे हैं जिनको वजह से मैं इस बिल को सपोर्ट करना ज़रूरी समझता हूँ। यह मालूम होता है कि इस बिल के मुताबिक़, जब यह क़ानून बन जायगा तो इस के अनुसार लगान के साथ मौजूदा ज़मींदार एसोशिएशन्स (Association's subscriptions) वसूल किया जायगा। मैं समझता हूँ कि इस बिल से उन को ज़्यादा मदद मिलेगी। अगर यह बिल क़ानून बन गया तो मेरे ऐसे छोटे आदमियों को भी बहुत मदद मिलेगा। मेरा छोटा सा ख़बार है। उस का चन्दा जमा करने के लिये भी क़ानून पास कराया जा सकेगा और Government उसका चन्दा भी वसूल कर दिया करेगी। मेरे बुजुर्ग चिन्तामणि साहब के दिल में मेरी बातों को सुन कर अगर जलंसी ईर्ष्या पैदा होती होगी और वह अपने दिल में कहते होंगे कि (लीडर) Leader का चन्दा भी Government वसूल करे तो यह भी हो जायगा इसी लिये मैं इस बिल (Bill) को सपोर्ट (support) करता हूँ। और आशा करता हूँ कि आप साहबान जो इस वक्त इस बिल (Bill) को सपोर्ट (support) कर रहे हैं हमारे प्रताप, लीडर कम्बिनेशन कंट्रीब्यूशन बिल (Pratap Leader Combination Contribution Bill) जो आगे, चाहे उसको भी ज़रूर सपोर्ट (support) करेंगे। क्योंकि हमारा जो बिल (Bill) होगा वह इस बिल (Bill) को तरह नहीं होगा। वह ज़्यादा फ़ायदामंद होगा। हम लोगों के अज़बारात पब्लिक (public) को आम तौर से बड़ा फ़ायदा पहुंचाने वाले हैं हम लोग उसमें ख़बरें शायी करते हैं, पब्लिक को शम्ह बनाने में मदद देते हैं, पब्लिक के सामने तरह-तरह की बातें रखते हैं, और दुनिया की एक जगह की ख़बरें दूसरी जगह भेजते हैं। यदि अज़बारात न हो तो दुनिया की एक जगह की ख़बर दूसरी जगह न आसके और लोगों को दुनिया की वाक़फ़ियत न हो सके।

[Sri Ganesh Shankar Vidyarthi.]

इन सब बातों को मद्दे नज़र रखते हुए और यह ख्याल करते हुए कि हम लोग आप लोगों की बड़ी सेवा करते हैं, आप लोग भी हमारे आगामी बिल को अवश्य सपोर्ट (support) करेंगे और इसी शर्त पर मैं इस बिल (Bill) को सपोर्ट (support) करता हूँ ।

Khan Bahadur Saiyid Jafer Hosain : I move for the closure.

The Deputy President : I think there is a desire on the part of the House to continue the discussion on the motion before the House. If I find later on there is no desire to further discuss the motion the closure can be applied.

Rai Bahadur Babu Mohan Lal : There have been two proposals regarding this motion of my friend, Chaudhri Jagannath Prasad—that this Bill be not taken into consideration at all, and that this Bill be circulated for eliciting public opinion.

Now as regards the first motion, the chief argument that has been advanced is this, that it does not aim at any public good. It is only meant for the good of a particular community; and therefore this Bill should not be taken into consideration at all, and a very long argument has been advanced on it by my friend Mr. Dube. One of the aims of this association is that it intends to spend money for charitable institutions and for public objects. This is provided in their aims and objects, in clause F. Therefore, this argument that it aims only to do good to the zamindar community and has no other purpose is not well founded, since it does aim at doing public good and every charitable institution deserves help from Government. Therefore, if they aim at asking help from the Government, their object is quite justified and I get strength to this argument by the argument of my friend, Mr. Venkatesh Narayan Tivary. He accepts the principle of the Bill, but he wants that it be circulated for eliciting public opinion. Now that motion, too, I do not accept, inasmuch as this Bill has not its effect over the general public; it has its effect over a section of the people, and then it is optional and not compulsory. The Bill never aims at making the members who are present members of the association to be retained compulsorily as members of that association. The Bill, if passed, will not have retrospective effect. Therefore after the Act has been passed the members will be given an opportunity to choose whether to remain as members of the association or not. If they choose to remain members of the association with their eyes open then when the Act is passed they should not be allowed to go behind their own deliberate act.

Therefore, I do not see any good in circulating this Bill for eliciting public opinion as it is not intended to govern the interests of the public at large. No good will be served by delaying the passage of the Bill and by circulating it for public opinion.

Then the next argument that has been advanced is that the British Indian Contribution Bill was passed because they had undertaken by means of an agreement with the Government to contribute a certain portion of their income towards the maintenance of the Canning College. I think when we shall take this Bill into consideration clausewise we

can make provision and we can set apart a definite portion of its revenue for the purposes of education and for public purposes, and thus we shall be bringing this Bill into conformity with the British Indian Association Bill, and there will be no defect in it on this score that it aims at only doing good to a particular section of the community and not to the public at large. This Bill has been put in at the right time and deserves consideration of the House.

There has been legislation to this effect on previous occasions when the Canning College Contribution Bill was passed and similar other legislations, and, on the principle of *stare decisis*, I see no reason why this Bill should not also be passed. Why should there be any fear if Kisans or other communities bring in such Bills provided their aim is to do public and charitable good? Is it any sin to pass such a Bill? I think this argument was used by such an eminent person as Mr. Chintamani when the British Indian Association Bill was before the House; but it was not accepted, and that Bill was passed. In the same manner, I submit, that these considerations should not stand in the way of this Bill which is before the House.

Pandit Bhagwat Narayan Bhargava: I rise to oppose the consideration of this Taxation Bill.

The Deputy President: To be strictly correct, we are discussing whether it should be published to elicit opinion, and it will be better if the honourable member will confine his remarks to the motion which is before the House.

Pandit Bhagwat Narayan Bhargava: It would have been better if this Bill had been called the "Agra Province Association Taxation Bill," because I have personally never seen a subscription, a donation, or a contribution being realized by means of arrest of a person or by means of attachment of the property of a person. So, in fact, this Bill intends that the zamindars who will be affected by this Bill, their heirs and successors and assigns will have their property and person in danger at the time when they will make default in payment of the subscription. I think every member of this House will admit that they would never like that they should be meted out such insults by means of this Act. Then, they want to make the payment of this subscription perpetual. Will this Act not be in a way tyrannical, tyrannizing over the very members for whose benefit this Bill has been introduced in this House? The heirs and successors of the members are not to be excepted, even those zamindars who are today, as pointed by my friend, Mr. Venkatesh Narayan Tivary, against this Bill, will be affected badly if this Bill is made into law. Is it right on the part of those honourable members who are supporting this Bill that they should not even pay the slightest heed to the desires of their fellow-brothers? Do the honourable members, who have supported this Bill, think that Mr. Tivary has not given them a true and correct information? And if they do not disbelieve him, I think it is up to them to have some regard in the corner of their heart for their brothers for whom they intend to legislate on this occasion. Then, this Bill is meant for the advancement of the ends of the association. Who knows that after a lapse of time the objects of the association, to which reference was made by the previous speaker, may not be

[Pandit Bhagwat Narayan Bhargava.]

changed? Who knows that the ends, which are at present mostly to co-operate with the Government, to be loyal to the Government, may still be made worse, and even those registered members who at present belong to the association may change their view and may not desire to remain members of that association? Still, if this legislation is passed, they will be compelled to pay subscriptions to this association by means of this Act in spite of their disagreement with the aims and objects of the association. So if I say that it is a tyrannical taxation Bill, I think I am not wrong in doing so. As a reference was made by the previous speaker to the aims and objects of the association, I may add one more to them; but I will not comment upon it because it speaks for itself. One of the objects is to prevent people from being led astray by irresponsible speakers and agitators. Then the special reason why I am expressing my views in this way is simply to help those very zamindars who will be affected by this Bill. Let them consider for a moment that, even if the mover of this Bill changes his views and does not want to subscribe to the aims of the association, will he like that a subscription should be realized from him by force? Or, is there any guarantee that the views of that honourable member will never change throughout his life, or is there any guarantee that the views of any other members also will never change, whatever may be the situation of the country, whatever may be the circumstances of the association? Are they so stagnant, so conservative, that they are against a change? Then it is just possible that the rules for the electors which have been referred to in this Bill may some time after be changed, and even those zamindars who do not pay revenue above Rs. 5,000 may also be affected by this legislation because the amount of the revenue is not mentioned in the Bill; that will be regulated by rules, and who knows that these rules may also be changed, and even those zamindars who may at present be regarded as petty zamindars may also be compulsorily affected by this Bill. Therefore, I think that, even though I do not agree with the principle of the Bill, if the motion of my friend, Mr. Venkatesh Tivary, is accepted, it will not defeat the intentions of those honourable members who do want to consider and also to pass the Bill in such a hurry.

Pandit Mul Chand Dube: I rise to oppose the Bill. It is stated in the Statement of Objects and Reasons that the Bill follows the lines of the Canning College and British Indian Association Contribution Act (IV of 1920) and is a permissive measure. I may say that it was because of certain exceptional circumstances that legislation was taken in hand and passed by the Council, but the question is whether those exceptional circumstances that applied to that measure also apply to the present Bill. It has been pointed out by previous speakers that the Taluqdars of Oudh had created a charge on their property for the maintenance of the Canning College, and their contribution was realized by Government. The difficulty that had then arisen, and that led to the passing of that Act was whether the successors and assigns of those taluqdars were or were not bound by the charge created by their predecessors, and it was in order to stabilize the finances of the Canning College that it was considered proper that such a Bill should be introduced. Even then the Bill was opposed by a large number of members of that Council. The principal argument that was advanced on behalf of the Government was that because it was intended to stabilize the

finances of the Canning College, and because the Canning College had done very useful work for the province, it was necessary that such a Bill should be passed. The question now is whether the same circumstances and the same exceptional circumstances that prevailed at that time do prevail at this time also to support the necessity of this Bill being passed. The honourable members who have spoken in support of this Bill have stated that the funds of this association will be used for charitable purposes and for beneficial objects. This is more or less of a nebulous character. So long as the charitable purposes and beneficial objects are not clearly specified, it is open to the members and to the association not to stick to them. So long as these are left in a state of nebulous uncertainty my submission is that this Bill does not deserve the support of the honourable members. With these few words I oppose the Bill.

Shaikh Abdullah : I want only to make a few remarks in support of this Bill. When I received the agenda I never anticipated or expected that this innocent measure, harmless as it is, will elicit such an interesting debate in this House. I have very patiently listened to the very instructive speeches in this House, and, having heard all the speeches, my conviction is further confirmed that this Bill may be passed. There is no serious objection raised by any of the honourable members which should justify the rejection of this Bill. One of my friends argued that he was a representative of the tenants and therefore we should not help the zamindars by giving them a little aid in the realizations of their voluntary contributions. The other gentleman said that because these people were dancing attendance on the officials, why should they be helped by this Council, and that, as these people would appear before the Simon Commission, they should not be helped. I do not know how they can be stopped if they want to dance attendance on the officials. The Bill has absolutely nothing to do with the habits or mentality of the landed gentry. This is simply to help them in realizing a small contribution of four annas per cent. per annum for the maintenance of their association, and at the same time for contributing a little to some public good, such as educational purposes, etc. Sir, had the membership been compulsory, certainly every member of this House would have objected to it. Membership is voluntary. Anybody may like to be its member or not; but when one gentleman has become its member and, as long as he remains a member of the association, he should contribute his share, and that contribution should be realized along with the revenue.

That is the gist of the Bill. I do not think that there should be any serious objection on the part of any honourable member of this House against the passing of the Bill into law. I know that at the time of collection of rents and payment of revenue the zamindars have got some money in their hands and they can easily pay a little contribution at that time, but if after one or two months anybody goes to them and asks for some subscription they would not refuse—I know they are very generous people—but would say: “Wait for six months more.” So in order to have regular realization of these contributions they simply say: “Help us with the realizations at the time when we are in a position to pay.” Membership is voluntary. It is optional for a zamindar to continue

[Shaikh Abdullah.]

as a member of the association or withdraw from the membership at any moment I do not understand why there should be any serious fuss about it in this House. It is quite an innocent thing, and my humble opinion is that this House should help the zamindars in the realization of this small contribution at the time of the payment of revenue.

Pandit Govind Ballabh Pant : Before dealing with the motion that is before the House I should assure the honourable members that I have tried to read this Bill with every sympathy and with even respect for the order of zamindars in whose interests it seems to have been framed. I stand here as a representative of the general electorate, and I am fully conscious of the fact that the zamindars form an important section of it. I am also conscious of the fact that the country owes a great deal to their generosity and to their public spirit. There may have been exceptions here and there with whose views and with whose activities we in general might not have been in agreement; but so far as zamindars as a class are concerned, I am one of those who hold and believe that they deserve the support and the respect of everyone of us. (Kunwar Jagdish Prasad : Hear, hear.) So it is not without weighing the facts, and without placing myself in the proud and fortunate position of a member of the class that might be affected by this Bill, that I have arrived at certain conclusions, and I am glad that the Chief Secretary has been pleased to invoke the attention of the House to the remarks that I am making and that will follow hereafter.

Kunwar Jagdish Prasad : Not those hereafter.

Pandit Govind Ballabh Pant : I am glad then that at least for what I have said so far he has some regard and is prepared to accept the earnestness with which I am urging them.

Sir, I have tried to look into the provisions of this Bill, and I find that by means of this Bill the zamindars will be empowering the Government to distrain their property and to arrest them not only for the non-payment of revenue, but also for the non-payment of contribution towards the funds of an association which they in their generous moments have considered it fit to subscribe to. I ask the honourable members to consider whether it is befitting their dignity that they should assume that gentlemen belonging to their class will subscribe to the aims and objects of the association, will agree to be its members, will undertake to pay four annas per hundred of the revenue towards the funds of that association, but will make persistent default in the payment of that contribution, necessitating the issue of processes that might be issued for the realization of land revenue. That is, I feel, the effective part of this Bill, and it is for honourable members belonging to that particular class to decide whether it is to their advantage that they should forge this additional fetter for themselves and empower the Government to harass them not only in the matter of land revenue, but also in the matter of what is said to be a paltry voluntary contribution.

Then we go further and find—I do not know whether the interpretation put on the clause by the last speaker is or is not correct—but under the scheme of this Bill it is designed that when a person once becomes a member of this association will be bound to make a contribution not only during the time he is a member, but also when he ceases to be so.

We further find that not only he but his heirs, his successors and his assigns, who may fundamentally differ from the objects of the association in future, or who may not at all agree with the activities that might be conducted by the association, will be perpetually bound to contribute to its funds and will also be bound to be liable to all those processes which can be issued for the recovery of land revenue, even if they have conscientious objection to the object of the association or to what the association may frame as its object and ideal at any time in future.

Now, Sir, to me it seems to be an oppressive measure and, so, long as I am not a zamindar—I do not know what would be the state of my thinking capacity if I were one—but so long as I am not one. . . .

Kunwar Jagdish Prasad : There would not be any left.

Pandit Govind Ballabh Pant : I am not able to hear the Chief Secretary, but I hope that what he says has sense and not sound only. But if I were one I would certainly not agree to such a self-imposed indignity. Obviously there is absolutely no justification for rushing through a measure of this sort. Leave aside its merits ; do not examine what is there ; but let us know what is the reason for treating it as an emergency measure ? I do not know what induced those who are in power to publish this in the gazette beforehand. I had once to seek leave for introducing a Bill in this manner and requested the Government to publish a Bill which had emanated from one of the committees appointed by them and to the introduction of which I had received the sanction of the Government of India, but they refused to publish it. Well, in the case of this measure there seems to be something more than a living affinity between those who gave publicity to the Bill and those who want to father it or wetnurse it or to nurse it—I do not know what—which induced them to publish it even though it is apparently a private measure. Somebody whispers in my ear that so far as its framing goes it has been done by experts and who they are I need not state. Sir, this Bill was published in the gazette only on December 3. Here on the 19th December we are asked to go through all the stages and to put it forth as a finished product. Well, I do not know whether the Government who are generally very cautious, though seldom very sober, are also inclined to take the same view of this measure, whether they are satisfied that it is such a measure that if it is not passed on the 19th of December then the skies will come down on the 20th. . . .

The Deputy President : Perhaps "19" is a lucky number.

Pandit Govind Ballabh Pant : It may be a lucky number, Sir, but the whole thing seems to me to be unlucky from start to finish. We have been again and again reminded that this Bill is framed on the lines of the British Indian Association Bill. I will have to deal with that matter later ; but at this stage I may remind the members of this House that the Bill relating to the British Indian Association was introduced in February, 1920, that it was published in the gazette in March, 1920, it was referred to a Select Committee, and was sent back to the House in September, 1920, so that the Government then considered it desirable to give the public

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a period of about eight months to examine and scrutinize the provisions of that Bill. Besides, it affected a particular order, members of a more compact body, and gentlemen among whom perhaps there is a greater and larger community of interests than there is between zamindars scattered over the 36 districts of this province. I know that Government then thought it absolutely necessary to proceed with the measure as though it were an ordinary measure, and they gave something like a year to the consideration of the Bill. I do not know what are the reasons which have induced the Government to agree to this course and to hatch the whole thing before the night leads to the dawn of the next day. Let us see whether this Bill is in any way like, if there is any sort of analogy between, the British Indian Association Bill and the Bill which is before us now. For that I would like to refer the members of this House to the preamble of the British Indian Association Bill. It says: "Whereas certain contributions for the maintenance and support of the Canning College situate at Lucknow, and of the British Indian Association, a registered body in Lucknow, have hitherto been realized by Government along with the land revenue and whereas it is expedient to remove certain doubts which have arisen as to the liability of the aforesaid members it is hereby enacted as follows." Well, the meaning is plain enough and those who have taken any trouble to read the debate that took place over that measure must have seen what was the state of things connected with the British Indian Association. Government had already been realizing along with the revenue the amount of contributions promised by the taluqdars in a body—every one of them—and that practice had been in vogue for fifty years. Certain doubts had arisen as to the validity of that practice, and it was to regularize the practice which had been in force and acted upon, which had been followed insistently and continuously for a period of over 600 months, that the then Government considered it necessary to give permission to a private member to introduce a Bill to remove certain doubts that had arisen as to the legality and regularity and propriety of a course which had been adopted for such a long time. Here let us compare it with the other association. I do not know how old it is and what have been its activities—my friend to the right, with his zeal for the association and his inimitable advocacy, in order to demonstrate its public utility and generous disposition, tried to give us a list and a catalogue of its public charities. And what did he tell us? That only in the year 1926-27, after perhaps this thing had begun to be hatched, this association made a contribution towards the Magh Mela fund and towards another body—not a happy thing to recollect, but we have to mention it—to the leper asylum. These are the only two bodies that received any assistance from that body, and then my friend did not consider it necessary to mention the figure that had been contributed. Perhaps he thought it would be too large to excite the envy of so many of us here, or perhaps he thought it would induce us to solicit the support of this association and that if there were so many beggars before it it would be difficult to maintain its traditions. That is the activity of the association, that is the generous public impulse it has demonstrated so far. Then we do not know what is the

exact number of the members of the association. We are asked to pass this Act—we have not been told what amount of contributions have been promised, we have not been told what from year to year it actually recovered, we have not been told what it failed to recover, we have not been told when this measure was placed before the general body and when they accepted it. We are told that circular letters were sent, but we are not informed how many members replied to this circular letter accepting this Bill. I hope that reply will now be given to us. But if this Bill has been sent to them after the 4th December, as it perhaps could not have been sent before that, and with a commentary attached to it, I for one believe in the intelligence of the members of that class and I am certain that most of those who are not under any delusion or fit of infatuation will certainly send replies saying that they would not like to forge these chains for themselves with their own hands. We have to look at the measure from the public standpoint in so far as its provisions go. I do not find it difficult to say that it is an ill digested, ill-assorted, ill-designed measure. Look at its provisions and let me know what it means. Before dealing with that I would ask the honourable members of this House to think over the graver aspect of the problem before us. We are being asked to give a blank cheque and to impose a responsibility and liability on the State in respect of an association with the constitution and the objects of which we have absolutely nothing to do. Let us look at the preamble of this measure. It says: "Whereas certain contributions for the maintenance and support of the Agra Zamindars' Association have hitherto been paid voluntarily by the members of the association, and whereas for the convenience of members and the advancement of the ends of the association it is expedient that the said contributions should be made compulsory and perpetual, and that they should be realized along with the land revenue, it is hereby enacted as follows." It is a very curious thing to ask this House to impose a responsibility on the State for the maintenance of an association and with a view that it may further certain objects when we do not know what those objects are, when it is not for the legislature to determine the ends of the association. It may be a revolutionary association or an anarchical body. My friends are laughing at my description. It may be that they are certain that it cannot be so. But evidently we have no jurisdiction to determine the ends of this association, and they may be such as are not consistent with the furtherance of the public interest, but by this legislation, if passed, the State will be bound to realize money for promoting unknown ends. It is said that it is for the convenience of the members that the money is to be realized. But the Bill does not limit the liability to members only. Again, the association may to-morrow amend its rules and say that every person who pays one rupee as land revenue will be a member of this association. It is open to them to do so—we cannot restrain their deliberations. Having got the Bill, they will have no difficulty in collecting their subscriptions. It might come to a fraction of a pie, but the State will be there to serve them. Then the Hon'ble Finance Member will not be free to say that it should not be made a condition of membership that a man should pay Re. 1. It is open to them to impose any condition

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for membership; they can change the rules as they like, and here we are saying that the State will be bound to recover contributions that will have to be paid by members.

The Hon'ble Sir Sam O'Donnell : Clause 4.

Pandit Govind Ballabh Pant : So far as clause 4 is concerned it does not affect the conditions of membership at all. That follows, perhaps, the present state of membership of the association today. Tomorrow the second schedule of the United Provinces Electoral Rules may be amended altogether. Today they may prescribe that a man paying Rs. 5,000 as land revenue will be a voter. Tomorrow, after the Simon Commission, we do not know what is in store for us. It may say that every person who pays Rs. 10 as land revenue will be entitled to take part in election to the landholders' constituency. There is another possibility. I do not think it will materialize, but still it may say that the zamindars as a class will not elect any member and omit this schedule relating to the Agra landholders' constituency altogether. Then this Bill will become meaningless. It is against the elementary canons of legislation to frame a Bill which is dependent on another thing which it cannot control or regulate at all. It is against all canons of legislation to legislate for a body with the formation of which we have nothing to do. Again, who is to control the funds of the association? How are these funds to be used? This Bill does not even provide that the accounts should be audited and that the reports should be published. It does not say that it will be accountable to anyone. Here we are giving to the association complete liberty to do what it likes about its constitution, to do what it likes about its management, to do what it likes about its membership, to do what it likes about its objects. We say that, while the association will be free to deal with all these matters, we, as representing the legislature, will impose on the executive the responsibility of realizing whatever subscriptions may ever fall due from anybody who has chosen to be a member at any time or from his heirs, successors and assigns, and that, too, with the authority to issue processes that can be issued only for the recovery of land revenue.

Let us go a step further and see how the Bill is framed. Here we are told, "all members of the association, other than honorary members. . . ." The next clause says, "heirs, successors and assigns." There can be assigns of a person who is a member of the association. I do not know what is the object. Suppose a person is a member of the association and is paying today Rs. 15,000 as land revenue and tomorrow he assigns property liable to pay a land revenue of Rs. 5,000 to another man. Does that "another man" during the time he is not a member of the association thereby become liable to pay contribution in accordance with the provisions of the Bill? I do not understand what the meaning is. If it is so, a member during his life-time has to make contribution and his assign who is not a member has also to make contribution.

Then let us go to the next clause. Here it says that only members of the association have to make contribution. That means if a person ceases to be a member during his life-time then, perhaps, he has not to make a contribution, but if he dies without submitting resignation then

his heirs and successors have to make a contribution. It is open to him to withdraw, but not his heirs and successors and assigns. They are bound to make a contribution, though they are not to be enlisted as members of the association, automatically. Here, again there is a marked distinction between the British Indian Association Contribution Bill and this Bill. There every taluqdar by virtue of his being a taluqdar becomes a member of the association and has to pay a contribution. Here out of the various members of zamindari bodies scattered all over the province only those who have chosen to join it as members and who are qualified as electors of a particular constituency are liable to contribute though even if they do not care to be its members. I should like to get this point cleared up. I am giving all these facts only to show the necessity for giving more time to this measure and of deferring it for future consideration. Take the other clause here. It says, "the heirs, successors and assigns of such members, provided that such heirs, successors and assigns are qualified under the second schedule of the United Provinces Electoral Rules or such other rules as may for the time being in force, as electors for one of the Agra landholders' constituencies." Now a person to be qualified for membership has not only to pay Rs. 5,000 as land revenue but he must not be guilty of any corrupt practices; he must not have been sentenced to six months' imprisonment; he must not have failed to lodge his return of accounts within the time prescribed. Suppose a man is paying Rs. 5,000 as land revenue, suppose he has failed to put in his return of accounts within the time prescribed, suppose he has been found guilty of corrupt practices, will that man be or be not liable to make contributions towards the funds of this association? If he be not liable, then the best way of avoiding payment is by committing a corrupt practice. In that aspect the Bill is certainly a corrupt measure. As such it is against public policy. As such it should not be countenanced by the Government.

Let us go further. The qualifications should be in accordance with the second schedule of the United Provinces Electoral Rules. I do not understand why this Bill should be linked up with that. Is it, after all only to create a composite electorate for the zamindars? Are those who are sponsors of this measure to-day afraid that because of the circulars they have issued in favour of the Simon Commission or otherwise it will not be safe for them to seek election from the general body of electors, and that they should concert measures to devise and form another body which will serve as a clique for their support against the wishes of the public at large. Well, if that be the object then let them be frank and make a candid confession. If it is not so, then why should it be linked up with the United Provinces Electoral Rules. Why not say definitely that a man who pays so many rupees will be entitled for membership? You do say not lay down a definite condition of membership. You do not say that a member will have to pay a certain amount of money. You link up the Bill first with an association which is always in a fluid state as every other registered body is. It may altogether change its aims and objects tomorrow. It may change its condition of membership altogether. What is there to adjust the association and its terms with the terms of this Bill hereafter? You frame the Bill today and to-morrow the association says:—"We efface

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ourselves out of existence so far as our present policy and rules go. We will be a different body tomorrow." Is the legislature voting for what the association may do at any time in future or is it voting for what it is doing today? It is obviously very unsafe; it is very risky to give such a power and to undertake such a liability in respect of an association which may be changing its colour oftener than many of those who are sitting before us to-day. So I repeat that it is very risky to countenance a measure of that sort.

I do not consider it necessary to refer to the many arguments that have been advanced in support of it. I hope honourable members will understand that though it has been said that much lies in a name, name alone should not drive people to an undesirable asylum or to a suicidal course. We should take a very cautious and very careful view of the liability which we are imposing upon the State. It is our duty to examine carefully a measure which is to bind not only ourselves but also those who are to follow after us. Such a measure is open to unanswerable objection. Either the members of a body have faith in it and do retain a certain amount of earnestness for its activities or they do not. If they do, then they would certainly pay up their contributions without any difficulty. If they do not, and if they are only tricked into signing some papers at certain times and thereby accepting membership of it and then do not like to continue in that body, it is unfair that they should be forced to make contribution for an indefinite period of time against their wishes. In short, either the members of a body want to support it or they do not want to support it. If they want to support it, any coercive measure is unnecessary. If they do not want to support it, then such an institution should not be supported. If the members of the Agra Zamindars' Association have any faith in their association and if they want to keep it alive, active, energetic and vigorous, they will certainly be careful to keep it alive by financing it. If they do not want to do so, then we should not force them to make contributions to the association against their wishes, and that too in perpetuity. Have you heard of any association, which a man happens to join, with a liability that not only he but his assignees and successors will always be bound to contribute towards its funds? The membership of an association carries with it an identity of interest, a community of thought and a common ideal with other members of the association. Yet, strange though it may seem, under the scheme of this Bill every one of the successors of the present members of the association may be against the policy of the association and yet he will be bound to keep it alive and to work for it. Nothing can be more preposterous than that. I hope every constitutional lawyer, every man with experience of these bodies, will admit that it is unfair and improper to tie down people to the membership of an association against their wishes. Sir, I have already encroached upon the time of the House too long, and I notice that there is an indication of impatience in certain quarters. So out of regard for that I resume my seat.

During this speech the Hon'ble the President resumed the Chair.

Khan Bahadur Maulvi Fasih-ud-din : It is but natural on the part of an assessee to raise objections to taxation in his own interest, but we behold here a very novel spectacle of the assessee showing his anxiety

to pay his self-imposed tax as land revenue, while some of his self-styled benevolent friends come forward like so many knights errant to advise him not to do so. I say that this is a novel spectacle, but I must also submit that this is not a strange spectacle, for stranger things have happened in the world of politics. Anyhow, I do not at all quarrel with our benevolent friends for the attitude they have taken in connexion with this Bill, because I sincerely believe that if the Bill undergoes the ordeal of their criticism, it will be all the greater source of pride for us. I do not dispute their *bona fides*, nor do I hold that they do not act up to their conscience, although the honourable member for Allahabad opened his speech by saying that he honestly believed that the Bill was futile and still he did not want to oppose it simply because there was an Act on the same lines in Oudh. I think that all the criticism which has come forth from our critics has been honest, and I do not impute any motives to them, for the simple reason that I realize that the wave of democratic ideas that has been sweeping over India since the Great War has brought in its train the Socialistic theory that the zamindar is an obstacle in the way of all reform and political progress. I do not wish on this occasion to waste the time of the Council by exposing the futility of this theory. But I quote this fact in order to show that this alone is responsible for the distrust with which our friends look upon this Bill. It has led our friends to smell a rat in this Bill on account of this very theory. I assure them with all the earnestness at my command that this Bill there is nothing to be alarmed about and that in it there is no rat which plague bacilli (A voice—But there is a cat in it : another voice—The cat will soon be out of the bag). The Bill, as has been said over and over again, is a straightforward measure. I do admit that it has some defects, but these defects can be considered in connexion with the various amendments which have been tabled. Our friend the honourable member for Naini Tal has taken us into the various clauses of this Bill and has pointed out the defects in those clauses, but I think he would have been better advised if he had reserved those remarks for the occasion when those clauses would have come up before us for discussion. I would only refer to one or two general points of discussion that he has raised.

The first point is that the contribution should not be realized as land revenue, and he has given two reasons for this view of his. The one reason is based on sentimental grounds, and the other reason appeals to our head. The first reason is that it will be derogatory on the part of the members of this association not to pay their contribution voluntarily and without the help of the Government, but to impose upon themselves the ignoble conditions which attach to the methods of the collection of land revenue. I submit, Sir, that we already pay land revenue and over and above that revenue we pay 10 per cent. of cesses according to those stringent and inelastic methods, and if we add to that amount four annas per cent., there does not come in the question of any indignity. It is only for the sake of our convenience that we want to add this four annas per cent. to the amount that we already pay in the shape of land revenue.

The other point that he has raised is that it is rather unconstitutional on the part of the State to help a private institution of this kind in realizing its dues. I submit that this is not the only instance in which

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this kind of procedure is sought for. Besides the British Indian Association Act there are two other Acts. The Tea Cess Act and the Cotton Cess Act. If this procedure that we are advocating is unconstitutional in our case, it should be unconstitutional in the case of the tea planters and it should be unconstitutional in the case of the cotton capitalists also. And if it is an indignity in our case, it should be an indignity in the case of tea planters and cotton capitalists also. Sir, we always welcome any opposition on the part of our critics which may tend to guide us and to lead us to the right path; but certainly we have a right to resent an opposition which thwarts any schemes that are launched for the sake of strengthening our hands or for the sake of securing an organization and gaining a status and position in the political world. Sir, another member of this House has just said that we are making hay while the sun shines and that we are launching this scheme at this particular moment simply because the Government happens to be partial to us. I would remind that gentleman that his own party made hay while the sun shone in June last year at the time when the Tenancy Bill was on the anvil of this Council. As to the question of partiality, we say most openly that we claim this concession not as a matter of favour, not as a matter of grace, but as a matter of right, as a matter of equity and as a matter of justice. We pay 7 crores of rupees as land revenue, which constitutes over half of the total revenue from all sources, and over and above this we pay 10 per cent. cesses to the district board. We are the backbone of the Government and the mainstay of district boards, and we can claim this small concession as a matter of right and privilege. The Bill, I say again, has been launched with the most honest intentions. It has been said that the United Provinces Zamindars' Association is not on parallel lines with the British Indian Association. I submit, Sir, that it is so. I have failed to realize what is the difference between the zamindars of the Agra province who pay a land revenue of Rs. 5,000 and over and the taluqdars of Oudh. The only difference that used to exist has now vanished. The old Oudh Rent Act gave certain privileges to the taluqdars, but it was through the kindness of our friends that that Act was changed into the present Oudh Rent Act of 1922. This Oudh Rent Act is exactly on the same lines as the Agra Tenancy Act. The taluqdars of Oudh enjoy no particular benefit. In regard to that Act all their non-occupancy tenants are statutory tenants just in the same way as our non-occupancy tenants are statutory tenants, and I see absolutely no difference between the zamindars of the Agra province and the taluqdars except this that perhaps the latter are exempt from the Arms Act. But that is after all no difference. I need not prolong any discussion on this subject. I think the present question is simply this, whether the Bill should be referred for public opinion or it should be taken up at once. As to this, I submit, Sir, that the Bill was published, according to the saying of the honourable member who is the mover of this amendment, on December 3, 1927, and sixteen days have passed and not a single objection has been made. The honourable member for Allahabad has said that he came across a large number of zamindars of Allahabad who told him they did not agree with the Bill. Well, if they gave him that instruction, why did they not come forward, why didn't they write to the Government, why

didn't they express their views in the papers, and why did they keep silent? They knew that the Bill was to be taken up today and they were fully aware that the Bill was to be introduced for the sake of being passed, and still they did not move in the matter at all. Did they give him any brief for saying so in the Council here? I am not sure what they said and what they meant. Besides, I am informed that the very gentlemen whose names have been taken by the honourable member are members of the Executive Committee and they were present at the meeting of the committee which decided that the Bill should be introduced in this Council. If my information is correct, then I should submit again that this is one of the many strange things that often happen in the world of politics. I think we should not waste the time of this House by futile discussion. We should not argue this question like the logician who said that every Frenchman was a man and so every man was a Frenchman. We should approach this question in a spirit of sympathy for a class of people for whom our honourable friend the member for Naini Tal has a sincere and great regard and we should not throw obstacles in the way of a measure which we want for our improvement and in which we believe most sincerely and honestly.

Khan Bahadur Saiyid Jafer Hosain : I again move for the closure of the debate. In my opinion all shades of opinion have spoken.

Question, that the question be now put, put and agreed to.

Rai Bahadur Chaudhri Jagannath Prasad : There have been very long and very spirited speeches in the House on this question, and I do not like to add anything. I simply wish to say that my friends who seek that the Bill should be circulated for public opinion are not justified in making this demand. No member of the association or any member of the general public has notified through the medium of any paper that they are quite ignorant of the provisions of the Bill, and they wait first to understand and then to raise objections.

Pandit Nanak Chand : Was it made public that this Bill was to be rushed through?

Rai Bahadur Chaudhri Jagannath Prasad : I think every member knows that it was published on December 3.

Pandit Nanak Chand : May I inquire whether it was published in the gazette that the Bill was going to be considered and passed to day?

The Hon'ble the President : This question is not necessary to elucidate the matter under debate now.

Rai Bahadur Chaudhri Jagannath Prasad : Therefore, I think the guardians of the interests of the tenants and the zamindars are not justified in opposing this Bill on the first point, and I refuse to agree that this Bill should be circulated for public opinion.

The amendment, that the Bill be circulated for eliciting opinion thereon before April 1, 1928, was put, and the House divided as below :

Ayes, 34 ;

Noes, 64.

Badan Singh, Chaudhri.
Badri Dutt Pande, Pandit.
Bhagwat Narayan Bhargava, Pandit.
Bhagwati Sahai Bedar, Babu.
Chhail Bihari Capoor, Babu.
Chintamani, Mr. O. Y.
Devata Prasad, Pandit.
Dube, Mr. A. P.
Ganga Prasad Roy, Babu.
Govind Ballabh Pant, Pandit.
Gulab Singh, Thakur.
Gurtu, Iqbal Narayan, Pandit.
Hanuman Singh, Rai Bahadur Thakur.
Har Prasad Singh, Thakur.
Jagannath Bakhsh Singh, Raja.
Jagdish Prasad, Rai Bahadur, Lala.
Kavendra Narayan Singh, Babu.

Abdullah, Shaikh.
Abdul Bari, Mr. Muhammad.
Abdul Qayum, Haji.
Abdus Sami Khan, Lieut. Khan Bahadur Nawabzada.
Abhainandan Prasad, Rai Bahadur Babu.
Ahmad Sa'id Khan, The Hon'ble Lieut. Nawab Muhammad.
Ahmad Shah, Mr. E.
Badre Alam, Khan Bahadur Shah.
Baird, Colonel R. F.
Bihari Lal, Rai Bahadur Lala.
Bikram Singh, Thakur.
Bisheshwar Dayal, Seth Kunwar,
Blunt, Mr. E. A. H.
Channer, Mr. F. F. R.
Clarke, Mr. G.
Darwin, Mr. J. H.
Desanges, Mr. H. C.
Dodd, Mr. R. J. S.
Elliott, Mr. Ivo.
Fasih-ud-din, Khan Bahadur Maulvi.
Ghulam Husain, Shaikh.
Habib-ullah, Shaikh Muhammad.
Habib-ullah, Maulvi, Saiyid.
Hanumat Prasad Singh, Bhaya.
Hidayat Husain, Khan Bahadur, Hafiz.
Hukum Singh, Thakur.
Jackson, Mr. St. George H. S.
Jafer Hosain, Khan Bahadur, Saiyid.
Jagannath Prasad, Rai Bahadur Chaudhri.
Jagdish Prasad, Kunwar.
Jamshed Ali Khan, Lieut. Nawab Muhammad.
Kali Charan Misra, Lieut. Raja.

Ayes.

Kishori Prasad, Babu.
Krishna Pal Singh, Rao
Mahendra Deva Varma *alias* Lalji, Babu.
Manak Singh, Thakur.
Mangat Singh, Chaudhri.
Mathura Prasad Mehrotra, Rai Bahadur Lala.
Mulchand Dube, Pandit.
Nanak Chand, Pandit.
Nemi Saran, Lala.
Rahas Bihari Tiwari, Pandit.
Sadayatan Pande Pandit, Shri.
Sadho Singh, Thakur.
Shiva Shankar Singh, Thakur.
Uma Shankar, Babu.
Venkatesh Narayan Tivary, Pandit.
Vikramajit Singh Rai Bahadur Babu.
Zahur-ud-din, Maulvi.

Noes.

Kushal Pal Singh, Raja.
Lan e, Mr. H. A.
Liaqat Ali Khan, Nawabzada Muhammad.
Mackenzie, Mr. A. H.
Mahbub Ali Khan, Khan Bahadur Hakim.
Mahijit Singh, Maharaj Kumar Major.
Masud-ul-Hasan, Khan Bahadur Mr.
McNair, Mr. A. W.
Mohan Lal, Rai Bahadur Babu.
Muhammad Habib, Mr.
Muhammad Sajjad Ali Khan, Mirza.
Muhammd Yusuf, The Hon'ble Nawab.
Nihal Singh, Sirdar.
Norton, Mr. E. L.
Obaid-ur-Rahman Khan, Maulvi Muhammad.
O'Donnell, The Hon'ble Sir Sam.
Panna Lal, Mr.
Pim, Mr. A. W.
Pratap Bhan Singh, Thakur.
Raghuraj Singh, Raja.
Rajendra Singh, The Hon'ble Thakur.
Rajeshwar Bali, The Hon'ble Rai.
Saiyid Muhammad *alias* Maiku Mian, Khan Bahadur.
Sardar Singh, Rao Sahib, Kunwar.
Shaif'at Ahmad Khan, Dr.
Shyam Lal, Babu.
Sri Krishna Dutt Dube, Raja.
Srivastava, Mr. J. P.
Surendra Pratap Sahi, Kunwar.
Wajid Husain, Khan Bahadur Chaudhri.
Yorke, Mr. R. L.
Zia-ul-Haq, Khan Bahadur Shaikh.

The Hon'ble the President : The question is that the United Provinces, Agra Province Zamindars' Association Contribution Bill be taken into consideration.

Rai Bahadur Lala Jagdish Prasad : I beg to move that the Agra Province Zamindars' Association Contribution Bill be referred to a Select Committee.

The object of the Bill is no doubt to promote the interests principally of the Agra Province Zamindars' Association, and generally of the zamindars of the Agra province as a whole. I would not have minded if the provisions of the Bill had only affected the members of the Agra

Province Zamindars' Association ; but since the provisions of the Bill, as I will just make it clear, affect a much wider section of people, namely, the zamindars of the Agra province as a whole, I must say that the provisions of the Bill should be carefully weighed and every aspect carefully considered before the honourable members of the House commit themselves to the consideration of the Bill. After the elucidative and exhaustive speech of my honourable friend Pandit Govind Ballabh Pant, there is hardly any need for me to explain that the provisions of the Bill are not as they should be ; for example, section 3 of the Bill is not happily worded. It would, therefore, be more in the fitness of things if the Council, rather than taking the Bill into consideration just now, referred it to a select committee which will be a smaller body and which, therefore, will be in a better position to weigh all the questions and implications involved in the Bill in their different aspects and to modify the Bill in a form which would perhaps be more acceptable to us. Such a large body as the Council is will not, I think, be able to dispose of the provisions of the Bill as it stands quite conveniently. The select committee which we would appoint will be better able to go through its provisions and to examine all questions and then to submit a report to this Council ; and then the Council could be in a better position to take the Bill into consideration in the light of the select committee's report.

I therefore move that the Bill be referred to a select committee, as I consider that it will not be wise for us to take it into consideration today.

Maulvi Muhammad Obaid-ur-Rahman Khan : I stand to oppose the motion of my friend on my left. I think its reference to the Select Committee will not serve any useful purpose. If there is any defect in the Bill it can be amended on the floor of the House just now because there are so many amendments on today's agenda. He is labouring under a misapprehension if he thinks that this Bill affects the zamindars of the whole province. It affects only the members of the Agra Province Zamindars' Association. Therefore my friends, those who are members of the Muzaffarnagar Association, are not affected by it at all, and moreover my friend Lieut. Nawab Jamshed Ali, who is the President of that association, has welcomed this Bill now, there should not be any hitch in giving it a whole-hearted support. I think it is only a dilatory motion which will only delay the passage of the Bill and will not serve any useful purpose. Had it served any useful purpose, I would have been the first man to support it. Under these circumstances, I oppose the motion and I hope the whole House will oppose it and will pass the original motion.

Rai Bahadur Thakur Hanuman Singh : I rise, not to oppose the Bill, but to give my whole-hearted support to the motion that the Bill be referred to a select committee. The Bill as it stands is defective in more than one way. If it is considered by a select committee, all the points which it should contain will be thoroughly considered by that committee and, if considered necessary, will be incorporated into the Bill. In the first place, the Bill may be characterized as illiberal and insulting to a portion—I may say to a very large portion—of the zamindar community. From the Bill it appears that only those landlords who pay a land revenue of Rs. 5,000 can become members of the association to which the Bill concerns. As you know, in the province of Agra the number of the zamindars who pay less than Rs. 5,000 is very, very

[Rai Bahadur Thakur Hanuman Singh.]

large. If the association stands for the advancement of the zamindars, then it should keep open its doors for any zamindar, whether big or small. At present, I may be permitted to say, India is agitating on the issue of the Royal Commission because on it the British Government have not included Indians. Here is a case where a portion of the zamindar community wants to discard the inferior portion of the same community.

Then, Sir, every association requires good brains to run it. Is brain and wisdom confined to those who pay larger amounts of revenue or is it a gift of God, and may not the inferior zamindars be more intelligent, more earnest and more active to do the work for the advancement of the community? Why their case has not been considered by the members of the association, I do not know. It is the petty zamindars who require much looking after and whose welfare the zamindar community as a whole should always be zealous to guard, but the association seems to have left them alone as if they were pariahs not worthy to be associated with. This is a fact which should be seriously thought over by those who have excluded the smaller zamindars, because it will create discontent between one portion of the zamindars and the other. Then, Sir, there are two associations in the province which have been mentioned by my friend Mr. V. N. Tivary. If the other association is left to its fate, in addition to the resentment which the members of that association will feel, they will at a very early opportunity introduce a similar Bill for the collection of subscription from their members. What will this House then do? Will this House take that Bill also into consideration and pass it? If it will do that, there may be a third Bill, a fourth Bill, and so on.

Sir, in the Bill now before the House there is no provision as to how the subscriptions will be realized from the legatees, heirs, assigns and transferees. A zamindar who pays Rs. 5,000 or more as land revenue at present may sell his property and after a time be in possession of property worth only a thousand or five hundred a year. Will he cease to be a member or will he continue to pay the subscription just as when he became a member of the association? Then, Sir, if a zamindar has four sons and property is divided among them, will all his sons be members of the association or not? Then in this connexion there will be another question: If they continue to live jointly, who will be the member of the association and who will not be so? A reference has been made in the Bill to the electoral roll, Sir, after a time the franchise may be more liberal and even zamindars paying a land revenue of Rs. 100 may become voters. Then what will the association do? Under the provisions of the Bill which is likely to become law, such zamindars will have a right to be admitted into the association as members. If that is to be, Sir, in the future, why not make a provision for their admission at present? Then, Sir, as has been said by many speakers, the Bill has not yet been given publicity which it ought to have been given. It was published on December 3.....

The Hon'ble the President: It is a repetition of old arguments.

Rai Bahadur Thakur Hanuman Singh: There will be some other arguments also. If the association was in a hurry to have this Bill passed into law, it was proper for it to have called a general meeting of such

zamindars as were to be affected by this Bill and consult them and take their opinion, but this too was not done. It was not very difficult for the association to address a circular letter to the zamindars and send them copies of the Bill to elicit their opinion. This would have strengthened the case to a very great extent, but that too was not done. From all these things it appears that a very small number of the members of the association are earnestly desiring to have the Bill passed into law without consulting that portion of the community which will be affected hereafter by this enactment.

Then, Sir, the province of Agra is a big province, has a very large area and has 36 districts. Does the association think that it will achieve its object by having its headquarters at Allahabad without any branch associations? I think it can never succeed in achieving its objects without having branches in the province. There is no mention as to what the members of those branches will do and how their subscriptions will be realized. In such a large area one association cannot work satisfactorily and achieve its ends.

Sir, even the Bill which was introduced by Pandit Jagat Narayan to legalize the collection by the Government for the British Indian Association and for the Canning College was referred to a select committee. Though all the taluqdars were agreeable to the Bill and it was introduced into the Council with their consultation, it was also considered by a select committee. It was a settled fact and no taluqdar, however big or small, had any objection to it, yet all these formalities were gone through. Then why is this Bill which is being objected to not only by non-zamindars but also by a number of zamindars, and big zamindars too, as has been stated by Pandit Venkatesh Narayan Tivary, being rushed through? This morning I met a zamindar who has got the hereditary title of Raja who inquired of me: "Well, Thakur Sahib, are you going to pass a Bill for fresh taxation on us?" I said "Yes, the Bill was to be introduced, but I cannot say whether it would be passed today or not." This is the feeling towards the Bill and still those who are its supporters are not inclined to let it go to a select committee. Why are they in such a great hurry? Their association has been in existence for the last twelve years, as I am told, without any Act empowering the Government to collect subscriptions for them; then why can they not wait for a few months more to give opportunity that the Bill be considered by a select committee of this House? My friend Khan Bahadur Maulvi Fasih-ud-din has said that there is no rat to be smelt. If there is none, then why such hot haste? With these few remarks, Sir, I support the motion that the Bill be referred to a select committee.

Rao Krishna Pal Singh: I rise to support the motion of my honourable friend from Muzaffarnagar. During the numerous speeches that have been delivered in favour of the passing of this Bill it has been shown that there is something at the bottom which compels its supporters to hurry this Bill through the House without giving an opportunity to those who wish to criticize this legislation which is yet in the melting pot. Among those speeches there has been one—a few minutes before mine—a very sarcastic utterance from one whose age should infuse us with a sense of respect. He said that since a wave of socialistic ideas had

[Rao Krishna Pal Singh.]

spread in this country there have been people who have tried to place obstacles in the way of the progress of the zamindars. I do not know, Sir, when such a wave passed over India. In fact in the part of the country from which I come there has been no such infection. We on the contrary are proud of producing loyal citizens like our honourable friend who represents the Agra constituency, I mean Raja Khushal Pal Singh. If there is, indeed, a fear of such a malady taking its course, it would be better to invest a little money out of the receipts which the association gets from its members in preparing a new armour of special anti-socialistic steel plate. Sir, when the honourable member from Budaun opposed the motion for circulating the Bill for public opinion, we all expected that he would enlighten us with more facts which would go to justify the hastening of this measure through the House today. On the contrary we were disappointed, because the objections raised by the mover of this motion that a number of zamindars were opposed to it and that the Bill had not been given due publicity were unfortunately ignored. I know, and I have met one of the zamindars from Agra district today who is a Rai Sahib and who is a very loyal member of his community—I do not know if he is here now. He asked me as soon as I went out into the lobby just before lunch, with a certain amount of anxiety, as to whether this Bill would become an Act today. For he said he was one of those who feared this Bill would commit the zamindars to a position which even men of his type were not prepared to take up. I say, Sir, and it has been argued many times that most of the zamindars have not criticized the Bill. I say, Sir, that we should feel grateful to those who have done so because they have rendered us a valuable help on an occasion when we most needed it. If they had not come forward with their valuable criticism, probably, a backward community as we are, we would not have been able to discuss the merits of this new piece of legislation in a manner in which we shall be able to do now. Sir, if the motion for circulating the Bill for further opinion has been defeated, I am sure the honourable members who belong to the zamindar community here will not oppose the present motion, because I think it has been amply proved in this House from the debate which has taken place that there is need for dealing with this Bill more carefully than the supporters of the Bill wish to do. I hope, Sir, when the Bill has been dealt with by a select committee it would be time, and it would be a proper time, to discuss it here and to take every detail into consideration. The select committee will be in a position, being a smaller body, to discuss the details at greater length than we with our limited time can do. And after having heard what the members of the select committee have to say we can decide on the merits of the Bill here.

Khan Bahadur Mr. Masud-ul-Hasan: The motion that has been made by my friend the member for Muzaffarnagar says that the Bill be referred to a select committee. His idea evidently is that the select committee would be in a better position to discuss the provisions of the Bill and present the report that may be acceptable to the House. In my humble opinion this is only a dilatory motion. The Bill is a simple measure, therefore it would be much better if it is discussed before the House, like the select committee of the whole House, as is the practice in the House of Commons. If a Bill is at all complicated or if any technical questions are involved, then discussion in the select committee would

have been of some use. But with regard to a Bill of this nature, which is a simple measure, it will be a sheer waste of time to discuss it in a select committee and then to bring it again to the whole House and discuss the amendments. If we look at the agenda we find that there are a number of amendments that have been given notice of. Why cannot we discuss pros and cons of these amendments tomorrow, and if necessary the day after and dispose of all of them? We should give an opportunity to all members whom it may affect to discuss the Bill, not only to those who may be selected as members of the select committee. Supposing the Bill is referred to the select committee, where is a guarantee that the opinion of the select committee would be acceptable to the House. Therefore I think it will be much better if this measure is discussed now. One remark I have to make with regard to the speeches delivered in this motion. The speakers who have discussed the motion have said everything with regard to the history of the zamindars and the geography of these provinces and certain defects in the Bill, but not a word is said about the reason why the Bill should be referred to a select committee. I think the opposition have made out no case to refer the Bill to a select committee, and in fact no serious arguments whatsoever have been advanced on behalf of the opposition for referring the measure to a select committee.

Khan Bahadur Saiyid Jafer Hosain : I move the closure.

The Hon'ble the President : I see a number of honourable members still wish to take part in the debate. Therefore I cannot put the motion to the House.

Thakur Sadho Singh : I had no desire to take part in the debate, but certain improper remarks against the leader of the Swaraj party have made me stand on my legs. We never found Government so willing to support any measure for the economic benefit of the zamindars. We know there is the Court of Wards Bill pending long since. There is the Land Alienation Bill and many other proposals which have emanated from zamindar members who are agriculturists and who have been zamindars for a long time even before the advent of British rule. The leader of the Swaraj party represents members who represent zamindars one thousand times more than many of the speakers who pose as zamindars themselves. Who knows who were the zamindars yesterday, who knows who will be zamindars tomorrow. Many of us are neighbours, know each other and what influence they command among the zamindar community. Most of the hereditary zamindars are fast decaying on account of economic ruin and no legitimate protection is being provided for saving their existence. Even a quite insignificant percentage is taken under the protection of the Court of Wards with very great difficulty.

None of my many friends and others who are big zamindars and those of my friends. . . .

Khan Bahadur Shah Badre Alam : Is the gentleman in order, Sir?

The Hon'ble the President : What is exactly the point of order which the honourable member has raised?

Khan Bahadur Shah Badre Alam : He is speaking not on the general principles.

The Hon'ble the President : I do not know, but the honourable member should speak on the general principles.

Thakur Sadho Singh : Yes, Sir. The zamindars are a very backward community, and any measure the future of which is unknown and unknowable should not be thrust upon them so hurriedly. The Bill is being hurried through as if it were the opportunity of a lifetime. Naturally it has aroused serious doubts in the minds of many members. I must warn again the gentlemen who are so very enthusiastic over their organized majority. Although they know that they are going to weave a net for their unwilling friends, still somehow or other they will have to face the consequences of their own action. They know that those men who will have to become members or have already become members will not be able to take their revenge upon the promoters of this Bill. Still they cannot escape the results of it. What zamindar who ever joins the Zamindars' Association knows the serious consequences to which he will be subjected after such a long time? They become members only as a sort of show and probably most of them never pay their subscriptions. It is really an attempt to revive a defunct nominal organization. We all know how members are enlisted. We all know what forces will be brought into play for this purpose in future. They will never know what the provisions and implications of this law are. They will have to become members of the association to serve the political ends of the Government and a few adventurers. I still hear complaints from many zamindars that they did not know of the publication of the Tenancy Bill or otherwise they would have made timely arrangements for their self-cultivation.

The Hon'ble the President : We are not discussing the Tenancy Bill here.

Thakur Sadho Singh : I am only referring to it here by the way. Many zamindars do not yet know what the actual provisions of the Tenancy Bill are. A vast majority of them live in very remote villages and know very little of law. Many of them are hardly educated at all. Even now they greatly complain that they at least would have made sufficient arrangements for self-cultivation and ejections if they had known what the provisions of the Tenancy Bill were. We know the enthusiasm they are showing for the association by the number of gentlemen who attended the Bareilly meeting convened by the Zamindars' Association just before the last Tenancy Legislation was taken up. When at such a juncture when their vital interests were at stake they could not turn up in large numbers—I am told that only three members attended the meeting—then it is sheer compulsion to make them become members of the association or to subject them to such a taxation. Moreover, none of these zamindars ever dreamt of severing their connexion from their brethren who pay less than Rs. 5,000 as land revenue. They will never dream of it. Now by means of this Bill a very serious artificial demarcation is sought to be drawn between the members of the same community, whose interests are identical at present, but will become different hereafter. In Oudh the taluqdars have once been something like Ruling Princes, and it is in accordance with their old law and custom of primogeniture that they now hold large estates. In Agra, however, most of the zamindari have been divisible among their heirs, and

the result is that they hold very small zamindaries. If zamindars paying less than Rs. 5,000 as land revenue are held eligible for membership, it is feared that the object of the association will be defeated, because in such a large body of people there will be found to be many persons with education and influence and of independent views. I personally feel that the Council should not fight shy of referring the Bill to a select committee. As a matter of fact, those who wished to promote the Bill ought to have come forward in the open and enlightened the public about the aims and objects of this measure. This Bill seeks to throw a burden on the already too heavily taxed zamindars. Again, it is not fair that a Bill with such implications should be passed into law without giving the people enough time to think about it. I am sure that very few people know about this Bill. Their eyes will all of a sudden be opened to this measure only when the tahsildar will serve a summons on them for the payment of the tax to the association. The Tenancy Bill was published three years before it became an Act, and yet very few people knew about it. I do not quite understand why there should be this feverishness and anxiety about the passing of the Bill under discussion. With these few words I oppose the consideration of the Bill and support the motion that the Bill be referred to a select committee.

Rai Bahadur Lala Mathura Prasad Mehrotra : I rise to give my whole-hearted support to the motion of my honourable friend Rai Bahadur Lala Jagdish Prasad. Before going into the details of the Bill and explaining my own position and that of my brother members of the British Indian Association, I would like to answer some of the remarks of the honourable member for Moradabad—I mean the nominated member of Moradabad. He gave three reasons for opposing the motion before the House and laid a great stress on them. The first reason, according to him, is this that the Bill is very simple and small. I find that the Bill is just the contrary. It contains some principles which are controversial and debatable for which no less than 34 amendments have been tabled. For this very reason it should not be considered to be very simple and small, so much so that it requires no reference to a select committee. He said that we can discuss this Bill today, tomorrow and day after, as if we have no other business to do. It was with great difficulty as well as magnanimity of the Government that we have got three days for the non-official business, perhaps because no official business was found out, as the agenda for non-official business was only provisional. All these three days he wants to utilize in discussing the minor amendments which are meant for the select committee and not for the whole House. The third point that he made was this that there is no guarantee that the report of the select committee will be accepted by the House or not. Sir, of course there is no guarantee. But what is the practice, what is the usage, with regard to other Bills. Whether they are referred to select committees and their reports are circulated, whether they are discussed on the floor of this House or not. I for one can say that during the last four years this is perhaps the one and the only Bill that is being rushed through without reference to the select committee. Now, Sir, I will tell him what are the reasons for which this Bill should be referred to a select committee. What are the advantages if this Bill is referred to a select committee, as

[Rai Bahadur Lala Mathura Prasad Mehrotra.]

they have not been stated by the previous speakers. First of all there is a definite request from the members of the Zamindars' Association, Muzaffarnagar, which is a much older and more important association. I have received a letter, a typed letter, not that one which was read by my honourable friend from Allahabad, but it is quite a separate letter, in which the joint secretary writes to me in an appealing manner. He says :—"We have today despatched to all the official and non-official members of the Council a circular letter, copy of which is enclosed herewith, regarding the *Allahabad* Association Contribution Bill and have fervent hopes that, looking to the interests of this association, you will do your best in getting the name of this association included in the Bill or move an amendment, whatever you deem proper under the rules of the Council." I was indeed surprised to hear from the President of the association that he will now bring in another Bill. I do not know whether he has made these remarks on the floor of this House on his own responsibility or with the permission of his association. I believe not with the permission of his own association, but on his own personal responsibility, because this letter is dated December 16 and today is the 19th. I think from the 16th to the 19th there was no meeting which authorized the President to go and announce that they have changed their minds. However, I am not much concerned with these matters. I only think that if this Bill is referred to a select committee, the members of that association and other zamindar members who are not on the list of this association will find time to think over what they have to do and how they ought to proceed.

Sir, I have been hearing for the last few years that some of the members of both the associations were trying to amalgamate them or bring them on the same lines, and I think this is the opportunity for doing so, and it is only then when they are united that the zamindars of the Agra province can impress their views on, and make their voice felt by, the Government and the public. So if this Bill is referred to a select committee, it is just possible that these two associations may come to some understanding. The second advantage will be this, that some of the amendments that have been tabled are of a complicated nature and will be better discussed and decided in the select committee than in the full House.

The Bill as has been drafted is wanting in many respects. For instance, this Bill makes no provision for the members who will, if not of their own accord, for some reason or other have to go out. If a member pays land revenue of Rs. 5,000 today and he is a member of the association, but after a few months for some reason or other he has to sell off some of his villages and his revenue decreases, then what will be his fate? Will he have to pay the contribution to the association or not? There is no provision in this Bill. Then if a member of this association dies and his property is divided among his sons, what will be the fate of those sons? Will they be members of the association or not; will the contribution be realized from them or not? The Bill more or less is based on the franchise. Supposing the franchise is lowered after a year or two, how will it affect the sons and heirs of zamindars? Then again, if the association decides tomorrow that any zamindar who pays a land revenue of Rs. 3,000 can

become a member, will this Bill apply to their heirs or not? There is no provision. In this way I find that there are many defects which can best be discussed and removed in a select committee.

The third argument of mine is this that some honourable members have compared this Bill to one of our own association—I mean the British Indian Association. I am really grateful to many honourable members on this side of the House (Swarajist and Nationalist) who have cleared the position. Further, I want to say that if this Bill is on the same lines, why should it not be referred to a select committee as that Bill was referred to? That Bill was introduced in February; it was referred to a select committee in March, 1920, and then discussed in September. It took eight months in this way. It was not rushed through, then why should this Bill be rushed through if it is said that it is on the same terms and on the same analogy?

Lastly, I am surprised that so far the Government has not come forward to say what is their attitude and why they are rushing this Bill through. They never did this when the British Indian Association Bill was brought in. They gave an opportunity for its reference to the select committee. While this Bill was gazetted on December 3, in English, and not in Urdu, the British Indian Association Bill was gazetted both in English and Vernacular. That Bill was only to remove some illegalities, but still it was not rushed through. But this Bill is a new one and involves many complications, many defects and yet it is not to be referred to a select committee.

In the end I would explain my own position and the position of many of my taluqdar friends; it is this that we whole-heartedly agree with the principle of contribution, and we will support this principle whenever this Bill comes, whether it is rushed through this evening or referred to a select committee and brought again after three or four months. As regards details, it is only right and proper that this Bill should be as complete as possible. If they are going to have a Bill, they should have a good one and not a bad one. *They should not put others in a difficult position nor make their own position absurd.* By reference to the select committee they should not understand that this Bill will be taken away from them. This Council consists of a majority of zamindar members, so where can this Bill go? It is for us to have it whenever we wish it. The Government members, the members of the Swaraj party plus non-zamindars (they will pardon me for saying so) all combined are not sufficient to defeat us. So why should we be afraid? Once it is introduced it will come: whether it is passed today or after a few months it matters little. When there are so many advantages in getting this measure after two or three months, then why should it be rushed through?

Lastly, I would draw the attention of the honourable members to page 37 of the Manual of Business and Procedure, in which they will find that by referring the Bill to a select committee one of the greatest advantage is that a select committee may hear expert evidence and representatives of special interests affected by the measure. With these words I once more appeal to my brother zamindars of Agra province not to rush the Bill through, but to make it as complete as possible.

The Hon'ble the President then adjourned the Council to the following day.

APPENDICES.

APPENDIX A.

(See page 186 *supra*.)*(Statement referred to in the answer to starred question No. 9 for December 19, 1927.)*

Number of hands in superior grade	..	..	..	864
Ditto inferior grade	..	..	..	478
Number of Hindus in superior grade	..	..	..	233
Ditto inferior grade	..	..	..	226
Number of Muslims in superior grade	..	..	..	562
Ditto inferior grade	..	..	..	247
Number of others in superior grade	..	..	..	69
Ditto inferior grade	..	..	..	5

APPENDIX B.

(See page 187 *supra*.)

Copy of resolution No. 7 passed at a meeting of the Mussoorie City Board, held at the Municipal office on Tuesday, September 27, 1927, referred to in starred question No. 17(d) for December 19, 1927.

Read—Resolution to be moved by MR. N. B. BHAYA.—

That the attention of the Government of the United Provinces be drawn urgently to the extreme difficulty experienced by the general public and specially the residents of Mussoorie for want of the completion of the Rajpur-Mussoorie motor road.

Resolved that the Government be requested to expedite the construction of the upper portion of the road from Bhatta onwards and that, if possible, funds be provided for this purpose in the revised budget for the current year.

APPENDIX C.

(See page 198 *supra*.)*Statement referred to in answer to starred question No. 50 for December 19, 1927.*

Names.	Date of enrolment.	Age.	Educational qualifications.	Exempted or not.		Remarks.
				From age-limit.	From educational qualifications.	
<i>Ministerial posts.</i>		Y. m. d.				
Tatyab Ali Shah ..	April 14, 1927 ..	29 9 0	Unqualified ..	Exempted ..	Exempted.	
Sherdil Khan ..	April 1, 1927 ..	35 10 16	Do. ..	Do. ..	Do.	
Pitambar Sahai ..	June 1, 1927 ..	44 5 16	Qualified ..	..	..
Piarey Lal ..	July 1, 1927 ..	30 11 16	Do. ..	..	..
Salten Haider Zaidi ..	August 19, 1927 ..	26 8 18	Do. ..	..	..	Since removed.
<i>Apprentices.</i>						
Shimbu Datt ..	October 31, 1926 ..	19 1 25	Qualified ..	..	..
Ali Muhammad Barni ..	November 1, 1926 ..	20 3 9	Do. ..	..	..
Bias ul-Hasnain ..	March 29, 1927 ..	20 10 20	Do. ..	..	..
Mahendra Prasad ..	March 30, 1927 ..	20 6 23	Do. ..	..	..
Rahim Ullah ..	March 31, 1927 ..	18 2 25	Do. ..	..	..
Kunwar Singh ..	April 2, 1927 ..	19 5 23	Do. ..	..	..
Shamsh-ul-Hasan ..	March 1, 1927 ..	21 2 0	Do. ..	..	..
Durga Prasad ..	September 8, 1927 ..	21 3 7	Do. ..	Exempted ..	..

APPENDIX D.

(See page 210 *supra*.)

Name.	Purpose.
1926.	
(1) Mrs. K. Taimini	Western methods of Education.
(2) Mr. Muhammad Ibad-ur-Rahman Khan.	Ditto.
(3) Mr. Gokal Chand	Ditto.
(4) Mr. Lakshmi Prasad Gupta ..	Ditto.
(5) Mr. Lakshmi Chandra Jain ..	Research in Banking and Statistics.
(6) Mr. S. N. Chakravarti	Research in Chemistry.
1927.	

(1) Mr. Prakash Narayan	Physical training.
(2) Mr. John Henry Rawat	Ditto.
(3) Mr. Ramani Kanto Sur	Western methods of Education.
(4) Mr. Rama Shankar Tripathi ..	Research in Ancient Indian History.
(5) Mr. Rama Nath Kaul	Research in Philosophy.
(6) Miss Khatun Jahan Abdullah ..	Western methods of Education.

APPENDIX E.

(See page 212' *supra*.)

Year.	Name.	Purpose.
1924	Mr. Sushil Kumar Pramanik ..	Research in Mathematics.
1925	Mr. Ajit Kumar Mitra..	Research in Botany.
1926	Mr. S. N. Chakravarti ..	Research in Chemistry.
1927	Mr. Rama Shankar Tripathi ..	Research in Ancient Indian History.

APPENDIX F.

(See page 213 *supra*).

Statement referred to in the answer to starred question No. 151 for the Council meeting of December 19, 1927, asked by PANDIT BADRI DUTT.

(a) *Statement showing income and expenditure on the different coolie agencies in the Almora district for the last three years.*

1924-25.

	Income.				Expenditure.			
	Rs.	a.	p.		Rs.	a.	p.	
Almora Agency ..	9,830	9	2	(a)	17,500	7	6	(a) The Government grant of Rs. 4,500 is not included in this.
Lohaghat ,, ..	7,211	7	8	(b)	13,146	11	11	(b) The Government grant of Rs. 7,000 is not included in this.
Ranikhet ,, ..	660	12	8	(c)	971	9	0	(c) The Government grant of Rs. 5,000 is not included in this.

1925-26.

	Income.				Expenditure.			
	Rs.	a.	p.		Rs.	a.	p.	
Almora Agency ..	9,632	0	9	(a)	18,034	14	9	(a) The Government grant of Rs. 4,500 is not included in this.
Lohaghat ,, ..	9,222	15	6	(b)	22,306	10	7	(b) The Government grant of Rs. 7,000 is not included in this.
Ranikhet ,, ..	826	6	0	(c)	15,566	0	6	(c) The Government grant of Rs. 5,000 is not included in this.

1926-27.

	Income.				Expenditure.			
	Rs.	a.	p.		Rs.	a.	p.	
Almora Agency ..	9,480	10	0	(a)	15,879	0	6	(a) The Government grant of Rs. 5,500 is not included in this.
Lohaghat ,, ..	9,745	2	9	(b)	16,613	8	0	(b) The Government grant of Rs. 7,000 is not included in this.
Ranikhet ,, ..	657	11	4	(c)	2,485	14	4	(c) The Government grant of Rs. 2,000 is not included in this.

(b) The staff employed by—

- (1) Almora is one inspector, one accountant, one jamadar, one contractor, one sweeper, 2 agents with 60 to 80 coolies according to needs at different times ;
- (2) Lohaghat is one Secretary with a peon, 8 agents with 4 to 16 coolies according to needs at different times ; and
- (3) Ranikhet is one clerk, 4 agents with 6 to 12 coolies according to needs at different times. This Agency was closed down from May 13, 1927.

(c) The pay of the supervising staff is Rs. 6,096 per annum and that of coolies is Rs. 26,770 per annum.

APPENDIX G.

(See page 214 *supra*.)

*Statement referred to in answer to starred question No. 156 for
December 19, 1927.*

The charges framed against the tahsildar were :—

- (i) That on return from leave, shortly before sunset on August 17, to his tahsil at Garotha, he executed a false charge certificate, which purported to show that he had assumed charge of the sub-treasury and the tahsil in the forenoon of that day.
- (ii) That in the course of the evening of the same day he caused the sub-postmaster of Garotha to break the postal rules and to return the envelope containing the *siaha* and connected papers of the day, already executed, despatched and posted by the naib-tahsildar.
- (iii) That he then caused the *siaha nawis* to prepare the new *siaha* and its supplementary papers for that day, August 17, all of which he signed between 10 and 11 o'clock in the night, though the sub-treasury had been closed before his return to Garotha, and though he had not been in charge thereof before its closure.
- (iv) That, whether by his own hands or by the hands of some subordinate or dependent, he then destroyed the original *siaha* of the day and the supplementary papers, all executed and despatched by the naib-tahsildar before his return to Garotha, but subsequently recovered by him from the post office.
- (v) That he then despatched to Jhansi through the post office the *siaha* and the supplementary papers for August 17, falsely executed by him.
- (vi) That after appearing before the district registrar at Jhansi on August 28, he deceived his collector—
 - (a) by giving him to understand at the Jhansi railway station as late as 5.30 p. m. that he was waiting for the night train to return to Mau and thence to Garotha, and then
 - (b) by spending the whole of the 29th in Jhansi without the knowledge or permission of the collector who imagined that he had returned to his tahsil.

APPENDIX H.

(See page 218 *supra*).

Statement referred to in answer to starred question No. 166 for the meeting of December 19, 1927.

Name and designation.	Place.	Remarks.
(1) M. Farid-ul-Hasnain, Naib-Tahsildar.	Budaun ..	Removed for corruption.
(2) B. Mathura Prasad, Tahsildar	Mahoba, Hamirpur district.	Dismissed for misconduct.
(3) B. Murari Lal, Tahsildar ..	Garotha, Jhansi district.	Removed for misconduct.
(4) M. Abdul Qayum, Tahsildar, on deputation as Special Manager, Court of Wards.	Rae Bareli ..	Dismissed for corruption.
(5) B. Sri Gopal Goel, Deputy Collector.	Bulandshahr ..	Removed for misconduct.
(6) S. Iftikhar Husain, Deputy Collector.	Banda ..	Dismissed for corruption.
(7) M. Muhammad Abdul Latif, Deputy Collector.	Moradabad ..	Dismissed for corruption.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Tuesday, December 20, 1927.

THE Council met in the Council House, Lucknow, at 11 a.m. The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT (105).

The Hon'ble Sir Sam O'Donnell.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
The Hon'ble Thakur Rajendra Singh.
The Hon'ble Nawab Muhammad Yusuf.
Kunwar Jagdish Prasad.
Mr. E. A. H. Bunt.
Mr. Panna Lal.
Sir Ivo Elliott.
Mr. J. H. Darwin.
Mr. H. A. Lane.
Mr. R. L. Yorke.
Mr. A. W. McNair.
Khan Bahadur Chaudhri Wajid Husain.
Mr. E. L. Norton.
Mr. F. F. R. Channer.
Mr. R. J. S. Dodd.
Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Mirza Muhammad Sajjad Ali Khan.
Khan Bahadur Mr. Masud-ul-Hasan.
Mr. H. O. Desanges.
Mr. E. Ahmad Shah.
Babu Rama Charana.
Sri Ganesh Shankar Vidyarthi.
Mr. A. P. Dube.
Pandit Rahas Bihari Tiwari.
Babu Chhail Behari Capoor.
Babu Bhagwati Shahi Bedar.
Thakur Manjit Singh Rathor.
Chaudhri Mangat Singh.
Rai Bahadur Lala Jagdish Prasad.
Chaudhri Vijai Pal Singh.
Chaudhri Dharamvir Singh.
Pandit Nanak Chand.
Thakur Manak Singh.
Thakur Pratap Bhan Singh.
Thakur Bikram Singh.
Thakur Hukum Singh.
Raja Kushal Pal Singh.
Thakur Gulab Singh.
Rao Krishna Pal Singh.
Lieut. Raja Kaly Charan Misra.
Lala Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Thakur Har Prasad Singh.
Babu Kishori Prasad.
Pandit Mulchand Dube.
Pandit Devata Prasad.
Babu Shyam Lal.
Babu Uma Shankar.
Pandit Venkatesh Narayan Tiwari.

Babu Kavendra Narayan Singh.
Pandit Shri Sadayatan Pande.
Raja Sri Krishna Dutt Dube.
Thakur Shiva Shaukar Singh.
Rai Bahadur Thakur Hanuman Singh.
Rai Bahadur Babu Abhainandan Prasad.
Raja Indrajit Pratap Bahadur Sahi.
Bhaya Hanumat Prasad Singh.
Babu Ganga Prasad Roy.
Pandit Govind Ballabh Pant.
Pandit Badri Lutt Pande.
Mr. Mukandi Lal.
Sirdar Nihal Singh.
Rai Bahadur Chaudhri Jagannath Prasad.
Rai Bahadur Babu Mohan Lal.
Rai Bahadur Pandit Bankata Prasad Bajpai.
Raja Raghuraj Singh.
Maharaj Kumar Major Mahijit Singh.
Kunwar Surendra Pratap Sahi.
Mr. C. Y. Chintamani.
Haji Abdul Qayum.
Mr. Muhammad Abdal Bari.
Maulvi Zahur-ud-din.
Khan Bahadur Shaikh Zia-ul-Haq.
Lieut. Nawab Muhammad Jamshed Ali Khan.
Nawabzada Muhammad Liaqat Ali Khan.
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.
Maulvi Muhammad Obaid-ur-Rahman Khan.
Shaikh Abdullah.
Khan Bahadur Hafiz Widayat Husain.
Maulvi Sayyid Habib-ullah.
Khan Bahadur Shah B. dre Alam.
Shaikh Ghulam Husain.
Dr. Shafa'at Ahmad Khan.
Khan Bahadur Sayyid Jafer Hosain.
Khan Bahadur Shaikh Sayyid Muhammad alias Maiku Mian.
Khan Bahadur Maulvi Muhammad Fasil-ur-Rahman Khan.
Khan Bahadur Hakim Mahbub Ali Khan.
Khan Bahadur Maulvi Fasih-ud-din.
Shaikh Muhammad Habib-ullah.
Raja Sayyid Ahmad Ali Khan Alvi.
Mr. Muhammad Habib.
Rai Bahadur Lala Bihari Lal.
Rai Bahadur Lala Mathura Prasad Mehrotra.
Raja Sambhu Dayal.
Konwar Bisheshwar Dayal Seth.
Raja Jagannath Bakht Singh.
Mr. J. P. Sivastava.
Pandit Iqbal Narayan Gurtu

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

BAREILLY RIOTS.

* 1. **Maulvi Zahur-ud-din** : In continuation of starred questions Nos. 94 to 131 for November 3, 1927, what was the estimated number of persons with the procession at the following places :—

- (a) The Kutubkhana
- (b) The Malukpur police station.
- (c) The Malukpur mosque.
- (d) The end of the Jasauli nala ?

* 2. What were the three *sarups* (imitations or characters) at the *singhasan*, and whom did they represent ?

* 3. (a) Is it a fact that one of these had put on a long Muslim-like beard ?

(b) If so, whom did he represent ?

(c) What was his dress ?

* 4. What is the estimated number of flags and banners carried along with the procession ?

* 5. Is it a fact that these flags were dressed on *lathis* ?

* 6. Did the police authorities or the magistrates in charge examine these flags before the procession started or when it was in progress ? If so, who examined them ?

* 7. (a) Were the processionists allowed to carry these flags by some definite order ?

(b) If so, what is it, an oral or written order ?

(c) What were its conditions ?

* 8. How many bands of music accompanied the procession ?

* 9. What other kind of music besides band was played during the course of the procession ?

* 10. Is it a fact that dancing girls and eunuchs were also accompanying the procession on mobile platforms prepared on bullock-carts dancing along with it ?

* 11. Did the police authorities examine the carts bearing these platforms, to see if they had any *lathis* or *ballams* concealed under the platforms ? If so, by whom ?

* 12. Is the Government aware that in the *Lila* procession this year *jai* was shouted throughout in a manner imitating the shouting of "Hasan, Husain" by the Muslims during Mubarram ?

* 13. Have the local authorities taken any notice of the fact that phrases like the following were very often shouted out along with *jai* :—

- (a) "Jamna Prasad Thanedar ki jai."
- (b) "Kanchan Singh Thanedar ki jai."
- (c) "Kotwal ka bhanjan karne wale ki jai."
- (d) "Tahsildar ka bhanjan karne wale ki jai" ?

* 14. Did the local authorities take any steps against those who shouted the last two phrases? If not, does the local Government intend to take any action?

* 15. (a) Is it a fact that Pandit Jamna Prasad, sub-inspector, was garlanded as he went along with the procession?

(b) If so, do the local authorities or the Government approve of the above fact?

* 16. Is it a fact that the procession cried a halt in front of the Malukpur mosque?

* 17. Did the police try to make the procession proceed? If so, how many attempts were made and with what result?

* 18. Is it a fact that while in front of the above mosque, the processionists played louder music and made incessant shouts?

* 19. Is it a fact that it was the *maghrib* prayer time when the procession was before the Malukpur mosque?

* 20. Did the Musalmans in the mosque request the processionists and the police to allow them a few minutes' time to say their prayers and for that purpose to stop music and the noise?

* 21. What answer did the police make?

* 22. Is it a fact that brickbats and mud were thrown on the *muazzin* when he stood to call for prayers in the mosque?

* 23. Is it a fact that some of the processionists tried to enter the mosque simultaneously with the throwing of bricks and mud?

* 24. Have the local authorities investigated the above two facts? If not, why not?

* 25. (a) Did any armed guard accompany the procession? If so, what was its strength?

(b) How many of them were Hindus and how many Muslims?

* 26. (a) What was the strength of other police accompanying the procession?

(b) How many of them were Hindus and how many Muslims?

(c) How many police officers were Hindus and how many Muslims?

* 27. Where did the guard remain while the procession was in progress—in front, in the middle or in the rear?

* 28. What was the position of the guard when the procession reached the Malukpur mosque before the trouble arose?

* 29. Where was the magistrate-in-charge of the procession when the procession reached the mosque and before the trouble arose?

* 30. What sub-inspector of police was in charge of the armed guard before the trouble at the Malukpur mosque arose? And where was he before it?

* 31. Did any magistrate or sub-inspector order the guard to open fire? If so, what sub-inspector or magistrate?

* 32. Did the police or the magistrate give any previous warning to the persons fired at?

* 33. Had the processionists any talk with the guard before the fire was opened?

* 34. (a) Did the processionists retire before the fire was opened?

(b) Did any portion of the procession retire before the fire was opened?

* 35. Did the guard fire into the mosque standing in the door of the mosque? And also from a platform opposite the mosque across the road?

* 36. Have the local authorities investigated this fact?

* 37. How many shots were fired altogether?

* 38. How many shots were fired—

(a) into the lane opposite to the mosque, on the south;

(b) into the mosque;

(c) into the lane behind the mosque?

* 39. Is it a fact that Sher Muhammad Khan, pensioner, was hit and killed in a lane opposite the mosque?

* 40. (a) What is the *post-mortem* report about Sher Muhammad Khan's body?

(b) How many balls were recovered from his body?

* 41. Is it a fact that Qazi Siraj-ud-din, a maniac faqir, was stabbed by some sharp weapon while wandering about in the procession? If so, by whom?

* 42. Was he also shot at by the guard while lying wounded?

* 43. Was he removed by the police to a platform to the north of the mosque while so wounded?

* 44. How long did he remain there?

* 45. Is it a fact that Muslims were forbidden to approach him while he was so lying?

* 46. At what time was he taken to the hospital and by whom?

* 47. At what time did he die?

* 48. What is the *post-mortem* report about his body? Was he examined by the civil surgeon?

* 49. How many persons were injured by firing on the spot?

* 50. How many of them were admitted to the hospital and on what dates?

* 51. Did the hospital authorities refuse to admit any unless he was accompanied by a police chalan? If so, have many were so refused?

* 52. Were there any directions, oral or written, about the admission and discharge of the injured persons given to the hospital or police authorities?

* 53. How long did the firing near the Malukpur mosque continue?

* 54. What are the names of those who took part in the firing?

* 55. (a) At whose order did the guard fire?

(b) What is his name?

* 56. (a) Was any explanation asked from him?

(b) Was he suspended from service?

(c) If not, why not?

* 57. (a) What was the total strength of the guard near the mosque when fire was opened ?

(b) What are the names of the policemen that constituted the armed guard ?

* 58. Is it a fact that a *communiqué* by the local authorities of Bareilly has been issued alleging that "the police were compelled to fire" ?

* 59. On what date and time was that *communiqué* issued from Bareilly ?

* 60. (a) Was there any investigation held and completed before the *communiqué* was issued ?

(b) If so, by what officer and by whom was that investigation made ?

* 61. Evidence of what witnesses was recorded before that *communiqué* was issued ?

* 62. (a) Is it a fact that a senior inspector of police has been appointed to investigate into the firing and other troubles near the mosque ?

(b) If so, what is his name ?

(c) On what date was he appointed ?

(d) On what date did he begin his investigation ?

(e) Has he yet completed his investigation ?

* 63. (a) What is the scope and object of the investigation ?

(b) Have any directions been given to him as to the scope and limitation within which he is to investigate ?

* 64. By whose order were the inmates of the Malukpur mosque arrested ?

* 65. (a) Did the police enter the mosque with shoes (boots) on ?

(b) Were they accompanied by any magistrate ?

* 66. Is it a fact that a house, opposite to the mosque and across the road, of Saiyid Ikram Ali and another of Nanhey Khan was searched ? If so, by whom, and by whose order ?

* 67. (a) Is it a fact that the search was made pursuant to the information that hundreds of Muslim raiders were in hiding in those houses ?

(b) If so, who gave the information ? The police or the processionists ?

(c) If none, why the houses were searched ?

* 68. (a) Were any persons except the dwellers of the houses found in them ?

(b) If so, were they arrested ?

(c) If not, has any informer been prosecuted or otherwise dealt with ?

* 69. Were any arms or collections of bricks discovered in those uses ?

* 70. Were any *pardanashin* ladies in these houses allowed to retire in *pardah* before the officers entered the houses ?

* 71. Was the small room into which the ladies of Saiyid Ikram Ali's house had retired also searched?

* 72. Is it a fact that Saiyid Zakir Ali was assaulted and fatally wounded in mohalla Malukpur in Sonar's street, just when the procession passed on the road close to that street?

* 73. Was he assaulted by the processionists or the police? If not, by whom?

* 74. Were the offenders prosecuted by the police? If not, why not?

* 75. How long after was medical aid rendered to the injured?

* 76. Is it a fact that Muhammad Shafi was assaulted and fatally wounded near masjid Bibiji by some Hindus?

* 77. Was he so assaulted just after the procession had passed by the said mosque?

* 78. Was he protected by the police at the time of the assault? If not, why not?

* 79. How long after was medical aid rendered to him?

* 80. When did both of these victims die in the hospital?

* 81. What is the *post-mortem* report about each of them, showing the nature of their wounds?

* 82. At what time did the procession return to its destination?

* 83. Were any curfew orders promulgated in the night between August 28 and 29 just after the trouble arose? If not, why not?

* 84. How many Muslims were injured that night whose reports were recorded?

* 85. How many of them went to the district hospital for medical aid and how many of these were admitted?

* 86. How many Hindus were injured that night whose reports were recorded?

* 87. How many of them went to the district hospital and how many of these were admitted?

* 88. How many Muslims were killed or injured on August 29 (a) before noon and (b) after noon till night?

* 89. How many Hindus were killed or injured on August 29 (a) before noon and (b) after noon till night?

* 90. How many Muslims and Hindus were killed or injured on August 30?

* 91. How many Muslims and Hindus were killed or injured on August 31?

* 92. What was the strength of the Bareilly police (officers and constables) on August 28, 1927—

(a) Civil.

(b) Armed?

* 93. Was any further police requisitioned from outside? If so, on what date and how many—

(a) Civil.

(b) Armed?

* 94. On what different dates (and how much) did the police from outside reach Bareilly and where was it posted?

* 95. Is it a fact that in the night between August 30 and 31 an alarm was raised in the city and rumour was carried to the police thanas and the police lines that the maulvies had issued *fatwa* for *jihad* and that Muslims were carrying on a night attack against the Hindus? If so, which of the thanas received such information and from whom?

* 96. What was the information sent to the deputy superintendent of police and the district magistrate?

* 97. Were any police thereupon ordered to go to the scene of occurrence?

* 98. Is it a fact that the deputy superintendent of police or the district magistrate received information that the Kila thana was being attacked by Musalmans? If so, from whom and from what thana?

* 99. Did the above two officials immediately hurry up to the Kila thana? If so, did they find out any truth in the above information?

* 100. Is it a fact that the above two officials heard reports of a gun fired from the Kila thana as soon as they reached it?

* 101. Did they find out who was firing the gun and at whose order and for what purpose?

* 102. Is it a fact that they carried away with them the gun and expressed their disapproval of the conduct of the police officer in charge of the Kila police station?

* 103. Who was the police officer in charge of the Kila police station then?

* 104. Was there any explanation of his conduct asked for from him? And was he departmentally punished?

* 105. Is it a fact that a report was lodged that in the old city Bareilly in mohalla Ghur Shamo-Ahmad Muslims while praying in the mosque of that mohalla were fired at from some neighbouring houses?

* 106. Was any investigation by the police made about it?

* 107. Is it a fact that the armed guard and the district magistrate and deputy superintendent of police arrived at the scene soon after the trouble?

* 108. Did any of the two officers take away some guns from the persons found in the neighbouring houses? If so, how many and whose guns were so taken away?

* 109. Has the investigation about the above affairs ended? If so, with what results?

* 110. When did the investigation about the following persons, murdered in the recent trouble, begin and when did it end? What are the reasons why one investigation ended soon and the other was prolonged :—

(a) Syed Zakir Ali who was fatally assaulted in mohalla Sonaran, Bareilly.

(b) Masit who was killed outright in mohalla Beharipur on August 31, 1927.

- (c) Syed Habib-ur-Rahman who was killed in or near Bazaria Moti Lal.
- (d) Kunwar Sen killed in mohalla Bhur, the incident being known as Bhur murder.
- (e) A Murao (name unknown) whose murder is known as old city murder.
- (f) A Kahar (name unknown) the incident being known as Kunwarpur murder.
- (g) A Brahman (name unknown) the incident being known as Kohatapir murder ?

* 111. Is it a fact that the investigation about the last (g) is still going on without any success ?

* 112. To what sub-inspector was the investigation about the murder of Masit entrusted ?

* 113. Did the officer in charge of the investigation go to the mohalla in which the victim resided, to inquire as to when he had left his house before he was murdered ?

* 114. What is the full *post-mortem* report about the body of Masit ?

* 115. Is it a fact that his body when discovered in the street and examined by the deputy superintendent of police himself before several gentlemen was found to be warm and his fingers were soft and plastic ?

* 116. Is it a fact that two persons—one a mason and the other a khansama—were attacked by *ballams*, *lathis*, and other weapons and severely wounded in the main bazar near Kucha Sila Ram ?

* 117. Did they report their being assaulted to the police ?

* 118. Is it a fact that a person in whose house the attackers rushed to hide themselves was arrested by the police there and then along with another man ?

* 119. Is it a fact that only one of these men was taken to the police station and the other let off on the way ?

* 120. (a) Did the man taken to the police station make any statement implicating others ? If so, what steps have been taken to trace them ?

(b) Is the man taken to the police station challaned and is he being prosecuted or not ?

* 121. What are the names of the constables who arrested the above two persons on the spot ?

* 122. Is it a fact that an armed guard was posted to patrol this very section of the main bazar, in which the assaults took place ? If so, what was its strength and what steps did it take to defend the victims ?

* 123. Is it a fact that the investigation about the assaults on mason and the khansama mentioned above was entrusted to the same officer to whom the investigation about the murder of Masit was entrusted ?

* 124. Did he chalan the case ? If not, why not ?

* 125. Did he ever take down the statements of the two complainants? If not, why not?

The Hon'ble Sir Sam O'Donnell: Government do not propose to make any statement, as a number of cases connected with these riots is pending in court.

* 126. **Khan Bahadur Shaikh Saiyid Muhammad:** [*Postponed at the request of Government till the first day of the next meeting.*]

AMALGAMATION OF THE LOWER AND UPPER SUBORDINATE SERVICES OF THE ENGINEERING DEPARTMENT.

* 127. **Saiyid Tufail Ahmad:** Is it a fact that some time ago the Government issued orders for the amalgamation of the lower and upper subordinate services of the engineering department into one and that as a result of this order the lower subordinate class in the Roorkee Engineering College was abolished?

The Hon'ble Nawab Muhammad Yusuf: Yes.

* 128. **Saiyid Tufail Ahmad:** Is it a fact that 129 posts of the upper subordinate grade were earmarked for the members of the lower subordinate class service and that about 96 places have been filled up hitherto?

The Hon'ble Nawab Muhammad Yusuf: No. The cadre of the Subordinate Engineering Service was fixed at 129, but no posts were earmarked for promotion of lower subordinates. The posts are filled as the upper and lower subordinate grades die out, either from temporary upper subordinates, by promotion from the lower subordinate grade, or by recruitment from Roorkee. So far 99 posts have been filled.

* 129. **Saiyid Tufail Ahmad:** Is it a fact that out of the 96 lower subordinate officials promoted to the upper subordinate grade—

(a) Some had very bad entries in their character roll, e.g.—

- (1) Babu Ram Bilas Lal.
- (2) Babu Mithan Lal.
- (3) Babu Ram Chandra Das Vaish.
- (4) Babu Shamshad Husain.
- (5) Babu Hafizullah.
- (6) Babu Lekhraj Bammi.

(b) And some had not possessed the Roorkee qualifications as required by the Government order, e.g.—

- (1) Thakur Lachhman Singh.
- (2) Lala Durga Shah.
- (3) Mr. A. John.
- (4) Pandit Har Datta.
- (5) Babu Bhawani Das Sah.
- (6) Babu Permatma Sahai.
- (7) M. Muhammad Zalud Ali
- (8) Thakur Jit Singh.
- (9) Thakur Tara Singh.

(10) Babu Dwarka Prasad Roy Bansi.

(11) Pandit Bholanath Joshi.

(12) M. Ayyub Husain Khan.

(13) M. Saiyid Ali Ahmad.

(14) Lala Ramji Das.

(15) Pandit Bhairab Datta.

The Hon'ble Nawab Muhammad Yusuf: (a) It is true that in their earlier years of service isolated cases of adverse remarks may be found, but as a whole their reports are satisfactory and the men were promoted on the recommendations of their deputy chief engineers.

(b) Yes, except Nos. (10) and (14) who are passed overseers from Roorkee. The remainder were promoted on account of long service or practical experience.

* 130. **Saiyid Tufail Ahmad:** Is it a fact that at present there are eleven members of the lower subordinate service who are fully qualified for promotion to the upper grade as regards their length of service and their qualifications?

The Hon'ble Nawab Muhammad Yusuf: Of the eleven mentioned, one has retired and four have been promoted this year leaving six lower subordinates, who are not at present considered fit for promotion; their claims are, however, considered yearly.

INCOME OF HARDWAR UNION MUNICIPALITY.

* 131. **Saiyid Tufail Ahmad** (*asked by Thakur MANJIT SINGH Rathor in the absence of the questioner*): What is the amount of the annual income of Hardwar Union municipality?

The Hon'ble Rai Rajeshwar Bali: Rupees 1,43,597.

* 132. **Saiyid Tufail Ahmad** (*asked by Thakur MANJIT SINGH Rathor in the absence of the questioner*): What amount should be spent out of the income on education according to rule 7 of the Municipal Act?

The Hon'ble Rai Rajeshwar Bali: Rupees 7,430.

* 133. **Saiyid Tufail Ahmad** (*asked by Thakur MANJIT SINGH Rathor in the absence of the questioner*): What amount is actually spent on education in that municipality?

The Hon'ble Rai Rajeshwar Bali: Rupees 7,501.

* 134. **Saiyid Tufail Ahmad** (*asked by Thakur MANJIT SINGH Rathor in the absence of the questioner*): What amount is spent on special Muslim education, i.e., on Islamia makhtabs and schools?

The Hon'ble Rai Rajeshwar Bali: Rupees 300.

Thakur Manjit Singh Rathor asked starred questions Nos. 131 to 134 to be answered in the absence of Saiyid Tufail Ahmad in whose name those questions stood on the agenda paper. The Hon'ble Minister of Education was asked to answer those questions but no supplementary questions were put.

The Hon'ble the President: I have said more than once that unless a supplementary question is to be put by the honourable member who wants a particular question to be answered, there is no meaning in

having the answer read to the House. The answer is already there on the paper, and unless the honourable member wanted to put a supplementary question, I see no reason in getting up and asking me to have the answer read.

APPLICATION FOR THE REALIZATION OF LAND REVENUE FOR THE BUILDING FUNDS OF THE LOCAL ISLAMIA SCHOOL FROM THE ZAMINDARS OF SAHARANPUR.

* 135. **Saiyid Tufail Ahmad**: Is it a fact that a large number of Musalman zamindars of Saharanpur district submitted an application to the Government recommended by the collector to the effect that a certain percentage of land revenue be realized from them along with their revenue for the building funds of the local Islamia school?

* 136. Is it a fact that the said application has been rejected by the Government?

The Hon'ble Sir Sam O'Donnell: Yes.

* 137. **Saiyid Tufail Ahmad**: Will the Government be pleased to state if they have permitted the realization of subscriptions, for local exhibitions and district gazettes through official agency in various districts of the province?

The Hon'ble Sir Sam O'Donnell: Government have issued no orders about the realization of subscriptions for these purposes, if by realization the honourable member means collection in the same way as that of Government dues. They have allowed in some cases voluntary subscriptions to be paid into the treasury as a matter of convenience.

* 138. **Saiyid Tufail Ahmad**: On what grounds was the application for the realization of a rateable voluntary subscription and revenue for the sake of an educational agency rejected by the Government?

The Hon'ble Sir Sam O'Donnell: The honourable member is referred to the answer just given in reply to question No. 137.

REVISION OF THE PAY OF TAHSILDARS AND NAIB-TAHSILDARS.

* 139. **Saiyid Tufail Ahmad**: When was the pay of tahsildars as well as naib-tahsildars last revised and what was the nature of the changes?

The Hon'ble Sir Sam O'Donnell: A statement is laid on the table.

(See Appendix A, page 342.)

* 140. **Saiyid Tufail Ahmad**: What was the reason of the Government for withholding from these officers the benefit of time-scale pay?

The Hon'ble Sir Sam O'Donnell: The honourable member is referred to my statement printed on pages 542 and 543 of volume XXIX, No. 9 of the Council Proceedings, dated April 6, 1926.

* 141. **Saiyid Tufail Ahmad**: [*Postponed at the request of Government till the first day of the next meeting.*]

DAILY ALLOWANCE OF EXCISE INSPECTORS, TAHSILDARS AND NAIB-TAHSILDARS.

* 142. **Saiyid Tufail Ahmad**: Is it a fact that the rule about the consecutive stay of two nights before an officer can claim a daily allowance has been abrogated in the case of excise inspectors? If so,

what are the reasons for withholding a similar concession in the case of tahsildars and naib tahsildars ?

The Hon'ble Sir Sam O'Donnell: (a) Yes.

(b) Government have decided to allow the same concession to tahsildars and naib-tahsildars.

**PROMOTION OF TAHSILDARS AND NAIB-TAHSILDARS
TO THE HIGHER POSITS.**

* 143. **Saiyid Tufail Ahmad:** Will the Government be pleased to supply information in the following form about tahsildars and naib-tahsildars separately whose names were sent up during each of the last five years for deputy collectorships and tahsildarships respectively :—

(1) Year.

(2) Number of candidates sent up—

(a) Muslims.

(b) Non-Muslims.

(3) Number of candidates approved—

(a) Muslims.

(b) Non-Muslims ?

The Hon'ble Sir Sam O'Donnell: A statement is laid on the table.

(See Appendix B, page 342.)

REWARDS FOR THE URDU AND HINDI COMPETITIONS.

* 144. **Saiyid Tufail Ahmad:** (a) With reference to the reply given to starred question No. 246 of Khan Bahadur Maulvi Fasih-ud-din on November 3, 1927, will the Government be pleased to state what were the reasons for overlooking the provisions of paragraph 407 of the revised chapter X of Educational Code in the matter of rewards for the best Urdu and Hindi competitions and not making any provision in the budget before the Hindustani Academy came into existence ?

(b) Has the Government issued any definite instructions to the Hindustani Academy to give rewards out of the grant of Rs. 25,000 ? If not, what guarantee is there that the above quoted rule will be observed ?

The Hon'ble Rai Rajeshwar Bali: (a) There were not sufficient applications to justify Government making budget provision.

(b) The honourable member is referred to paragraph 2(1) of Government resolution No. 61-G., dated January 2nd, 1927, a copy of which is placed on his table.

(See Appendix C, page 343.)

**DISMISSAL OF A PERMANENT INCUMBENT FROM THE PARTITION
DEPARTMENT IN THE KHERI DISTRICT.**

* 145. **Saiyid Tufail Ahmad:** (a) Is the Government aware that in this year (1927) a permanent incumbent of the Partition department in the Kheri district was removed from the service only on the ground that a dismissed hand in whose place he was appointed was to be provided for after a lapse of three years ?

(b) Is it a fact that the case was brought to the notice of the commissioner of Lucknow division in an appeal, but the appeal was rejected without giving any reasons as required by the Government orders?

The Hon'ble Sir Sam O'Donnell: (a) Yes. The man who had been dismissed had been on sick leave at the time of his dismissal and so his explanation had not been taken. On his recovery he appealed to the commissioner. His explanation was recorded, and as a result he was re-instated. The man who had been appointed in his place thereby came automatically under reduction.

(b) The appeal was rejected by the commissioner. The reason was stated, namely, that no vacancy existed.

***146. Babu Chhail Behari Capoor:** [*Postponed at the request of Government till the first day of the next meeting.*]

DESECRATION OF TEMPLE BY MUHAMMADANS AT BAREILLY.

***147. Babu Chhail Behari Capoor:** (a) Is it a fact that during the last series of the communal disturbances at Bareilly several temples were desecrated by Muhammadans?

(b) What action did the local authorities take to bring the offenders to book and with what result?

The Hon'ble Sir Sam O'Donnell: As cases connected with the subject-matter of the question are pending in court, Government do not propose to make a statement.

Babu Chhail Behari Capoor: May I inquire whether the Crown started any prosecutions in respect of the alleged desecration of temples?

The Hon'ble Sir Sam O'Donnell: There are two cases pending on complaint in connexion with the Muharram disturbances.

Babu Chhail Behari Capoor: I want to know whether the Crown has started any prosecutions?

The Hon'ble Sir Sam O'Donnell: The Crown did not start any case.

Babu Chhail Behari Capoor: Why has no prosecution been started when the facts were known to the authorities?

The Hon'ble Sir Sam O'Donnell: Because they were not satisfied that there was evidence of these desecrations.

Babu Chhail Behari Capoor: Was any investigation held in the matter?

The Hon'ble Sir Sam O'Donnell: Yes.

Pandit Nanak Chand: By whom?

The Hon'ble Sir Sam O'Donnell: By a Hindu police officer.

Pandit Bhagwat Narayan Bhargava: May I know the reason why the district officer does not propose to apply for Government sanction for prosecution?

The Hon'ble Sir Sam O'Donnell: I suppose he thinks that there is no good ground for it.

**ADVISORY COMMITTEE TO THE GOVERNMENT AGRICULTURAL FARM AT
NAWABGANJ, BAREILLY.**

* 148. **Babu Ohhail Behari Capoor :** (a) Is there any advisory committee attached to the Government Agricultural Farm, Nawabganj, district Bareilly ?

(b) When was this committee brought into existence ?

(c) What is its present constitution and what are its functions ?

(d) How many meetings has this committee held since its constitution ?

The Hon'ble Thakur Rajendra Singh : (a) Yes.

(b) 1924.

(c) The constitution of the present committee is as follows :—

(i) Khan Bahadur Hakim Mahboob Ali Khan, M.L.C., Aonla, Bareilly, Chairman.

(ii) Honorary Lieut. Raja Kali Charan Misra, M.L.C., Bareilly.

(iii) Kuar Bhawan Sahai, post office Sabora, tahsil Baheri, Bareilly (nominated by district board).

(iv) Chaudhri Hira Lal Kurmi, Bijauria, Bareilly.

(v) Inspector of Co-operative Societies.

(vi) Deputy Director of Agriculture, Rohilkhand circle.

The functions of the committee are to advise the Director of Agriculture on matters relating to the farm.

(d) None.

Babu Ohhail Behari Capoor : With regard to this question, may I ask why no meeting has been held during these several years ?

The Hon'ble Thakur Rajendra Singh : Many efforts were made by the Deputy Director but no meeting was arranged.

Mr. C. Y. Chintamani : No meeting was arranged by whom ?

The Hon'ble Thakur Rajendra Singh : The Deputy Director asked the members for a meeting but they did not turn up.

Mr. C. Y. Chintamani : He convened meetings but the members did not come, is that the Hon'ble Minister's meaning ?

The Hon'ble Thakur Rajendra Singh : He asked the members which date would suit them but no reply was given.

Mr. C. Y. Chintamani : Are we to understand that he asked the members if they wanted a meeting to be convened and did not receive a reply ?

The Hon'ble Thakur Rajendra Singh : Yes.

Mr. C. Y. Chintamani : For how many years were these members appointed ?

The Hon'ble Thakur Rajendra Singh : They were appointed in 1924.

Mr. C. Y. Chintamani : What is the duration of their term of membership ?

The Hon'ble Thakur Rajendra Singh : I suppose three years.

Mr. C. Y. Chintamani : Were they asked whether they would continue to be members if they did not want a meeting at all ?

The Hon'ble Thakur Rajendra Singh : A new board has been constituted this year.

Mr. C. Y. Chintamani : If a new committee has been constituted, are the names given here, the names of the members of the new committee ?

The Hon'ble Thakur Rajendra Singh : Yes, new committee.

Mr. C. Y. Chintamani : Is it the Hon'ble Minister's intention to consider the advisability of telling the Deputy Director that the committee is intended to meet and not to be in abeyance and that he should hold meetings ?

The Hon'ble Thakur Rajendra Singh : Yes.

Babu Chhail Behari Capoor : How many meetings were convened during the interval ?

The Hon'ble Thakur Rajendra Singh : I have already replied to that.

Babu Chhail Behari Capoor : The members may not have met, but how many meetings were actually convened ?

(No reply.)

***149. Babu Chhail Behari Capoor :** [*Postponed at the request of Government till the first day of the next meeting.*]

REJECTION OF THE APPLICATION OF THE SECRETARY, BAREILLY ARYA SAMAJ, FOR THE PROSECUTION OF THE CITY KOTWAL OF BAREILLY.

***150. Babu Chhail Behari Capoor :** Will the Government kindly state the reasons which led it to reject the application of the Secretary, Bareilly Arya Samaj, for sanction to prosecute the city kotwal of Bareilly ?

The Hon'ble Sir Sam O'Donnell : Government do not propose to make any statement, as a resolution concerning Khan Sabib M. Shafiq-ul-Hasan has been tabled for discussion today.

***151. Chaudhri Mangat Singh :** [*Postponed at the request of Government till the first day of the next meeting.*]

***152. Thakur Hukum Singh :** [*Postponed at the request of Government till the first day of the next meeting.*]

ABOLITION OF TAHSIL MAHABAN, DISTRICT MUTTRA.

***153. Thakur Hukum Singh :** Will the Government be pleased to state—

(a) on what ground the abolition of tahsil Mahaban, district Muttra, came into effect when nearly all the other tahsils were not abolished according to the recommendations of the Retrenchment Committee ;

(b) what are the grounds on which the other tahsils which were recommended to be abolished by the Retrenchment Committee were not abolished ?

The Hon'ble Sir Sam O'Donnell: (a) Tahsil Mahaban was abolished for reasons of economy.

(b) Mahaban and nine other tahsils were abolished. Certain other tahsils whose abolition had been recommended were not abolished either because the economy which would have been effected was small, or on grounds of administrative convenience.

Thakur Hukum Singh: Will the Government be pleased to state on what grounds it is said that this change of tahsil will produce administrative convenience?

The Hon'ble Sir Sam O'Donnell: The position is more central.

*154. **Thakur Hukum Singh:** Is the Government aware that the zamindars and the tenants of the circle of old tahsil Mahaban are feeling great inconvenience and trouble on the removal of their tahsil headquarters from Mahaban to Sadabad? If not, will the Government kindly inquire into the matter?

The Hon'ble Sir Sam O'Donnell: No representation to this effect has been received by the Government since the abolition was finally ordered. Sadabad is a much more convenient place for the majority of the inhabitants of the two amalgamated tahsils, and so the tahsil has been retained there, and abolished at Mahaban.

Thakur Hukum Singh: With regard to question No. 154, is it not a fact that after the final abolition of Mahaban tahsil the zamindars of that tahsil had applied to His Excellency the Governor to wait upon him in the form of a deputation to lay their grievances before him?

The Hon'ble the President: May I say that no question can be put as regards the conduct of His Excellency the Governor?

DISQUALIFICATION OF PERSONS TO BECOME VOTERS FOR MUNICIPAL ELECTION.

*155. **Thakur Hukum Singh:** Is the Government aware that persons who are convicted under section 108, Criminal Procedure Code, are not eligible to become voters for municipal elections as laid down in the Municipal Act, although they are entitled to be voters for the Legislature?

The Hon'ble Nawab Muhammad Yusuf: Yes.

*156. **Thakur Hukum Singh:** Is the Government prepared to remove this disqualification and to amend the Municipal Act so that those persons may be able to become voters or to be elected as members of the municipal board?

The Hon'ble Nawab Muhammad Yusuf: Government will examine the point.

DAILY ALLOWANCE TO ASSESSORS AND THE RETIRING ROOMS FOR THEM.

*157. **Thakur Hukum Singh:** Is the Government aware—

(a) that there is no daily allowance permissible to the assessors when they are compelled to attend the sessions judges' courts;

(b) that the assessors have to pay a fine of Rs. 50 when they cannot attend the court?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) No. The honourable member is referred to paragraphs 893 to 896 of the Manual of Government Orders.

(b) No. The honourable member is referred to section 352 of the Code of Criminal Procedure.

Lala Nemi Saran : When were these allowances fixed last time?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not remember the exact date when these allowances were fixed according to the paragraphs which I have quoted.

Lala Nemi Saran : Is it not a fact that these sections were enacted about ten years back?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : May be; I do not remember the year when they were enacted.

Lala Nemi Saran : Is the Government aware that the assessors have got a grievance in this respect?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We have got no information whether they have or have not got a grievance.

Lala Nemi Saran : Is it the intention of the Government to revise the rates of this allowance?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The question will be considered.

*158. **Thakur Hukum Singh :** (a) Is it a fact that there are no retiring rooms for the use of assessors available in the courts of sessions judges?

(b) If so, do Government intend to arrange for retiring rooms for the use of assessors in the sessions judges' courts of the province?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Retiring rooms for assessors exist in a few places only.

(b) Government will consider the question when funds permit.

APPOINTMENT OF A JAT AS HONORARY MAGISTRATE AND HONORARY ASSISTANT COLLECTOR IN THE MUTTRA DISTRICT.

*159. **Thakur Hukum Singh :** (a) Is it a fact that not a single Jat of the district has ever been appointed as honorary magistrate and honorary assistant collector in the Muttra district since the system of appointment of such honorary officers was introduced?

(b) If any such appointment has been made, please mention who were appointed and when?

(c) Is it the intention of Government to confer the powers of honorary magistrate and honorary assistant collector upon any of the Jats of Muttra district at present?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) No.

(b) Kunwar Baldeo Singh was appointed to be an honorary magistrate in 1912.

(c) The answer is in the negative.

Thakur Hukum Singh: With regard to (b) I want to ask if Kunwar Baldeo Singh is a resident of Muttra district.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I am informed that he is. In any case, he was appointed there as honorary magistrate in 1912.

Thakur Hukum Singh: My point is that a resident of Muttra district should be an honorary magistrate there. He is not a resident of Muttra district.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: In the question the word "resident" is not mentioned anywhere. The question is, "Is it a fact that not a single Jat of the district has ever been appointed as honorary magistrate?"

Thakur Hukum Singh: Of the Muttra district. It is clearly . . .

Lala Nemi Saran: Is it the policy of Government . . .

The Hon'ble the President: Order, order.

Thakur Hukum Singh: It is clearly asked in the question whether it is a fact that not a single Jat of the Muttra district has ever been appointed as honorary magistrate.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I am not sure about his home. We regarded the question as asking whether any Jat has been appointed honorary magistrate in Muttra district.

Thakur Hukum Singh: Kunwar Baldeo Singh is a resident of Aligarh district.

The Hon'ble the President: The honourable member is arguing and not asking a question.

Rai Bahadur Lala Mathura Prasad Mehrotra: Is it the intention of Government to appoint a Jat of the Muttra district now?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: It is answered in (c).

Rai Bahadur Lala Mathura Prasad Mehrotra: What are the reasons?

Lala Nemi Saran: Is it a fact that Government is influenced by communal and sub-communal considerations in making the appointments?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No.

Rai Bahadur Lala Mathura Prasad Mehrotra: Will the Hon'ble Home Member be pleased to state the reasons why he is not prepared to appoint Jats of the Muttra district as honorary magistrates?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The initiative in such matters rests with the local authorities, and it is for them to recommend.

Rai Bahadur Lala Mathura Prasad Mehrotra: Have they been totally debarred from these appointments?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: My reply is very clear. I do not know how the honourable member has put this question.

Mr. C. Y. Chintamani : Is it the practice to appoint as honorary magistrates in a district persons who are not residents of that district ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It is not usual. There may be such cases, but it is not usual.

Mr. C. Y. Chintamani : If there are some cases, for what reasons are there such cases ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I did not say, "there are such cases." I said "there may be."

Mr. C. Y. Chintamani : Assuming there are, what are the reasons ?

The Hon'ble the President : I think we are going into the larger question.

The Hon'ble Sir Sam O'Donnell : (a) So far as can be ascertained, the reply to this question is in the affirmative.

(b) Does not arise.

(c) The answer is in the negative.

CONSTITUTION OF A MUNICIPALITY.

***160. Thakur Hukum Singh :** (a) Has the Government fixed any limit of population and income of a town which entitles it to have a municipality ?

(b) If not, how can this question be settled whether a town or city is entitled to have the privileges of a municipality or not ?

(c) If the Government has fixed this limit what it is ?

(d) What is the income and population of Kesi Kalan notified area, district Muttra ?

(e) Is the income from the said town not sufficient to establish a municipal board there ?

(f) If the answer is in the affirmative, does the Government intend to establish a municipal board there ?

The Hon'ble Nawab Muhammad Yusuf : (a) No.

(b) The question whether a place should be raised to the status of a municipality depends on local conditions and the importance of the place in regard to its size, population and income.

(c) Does not arise.

(d) The income in 1926-27 was Rs. 25,527. The population is 6,753.

(e) Income is not the sole consideration which is taken into account in constituting a municipality.

(f) Does not arise.

Babu Bhagwati Sahai Bedar : What is the size of the municipality ?

(No answer.)

APPLICATIONS FOR COMPENSATION BY THE HINDUS OF BAREILLY.

***161. Babu Ohhail Behari Capoor :** (a) How many applications have been made by the Hindus of Bareilly for compensation under section 15A of the Police Act since the communal disturbances of August 28, 1927 ?

(b) What is the aggregate amount claimed by the applicants ?

(c) (1) On what dates were those applications made ?

(2) Were any of them time-barred ?

(d) (1) How many of those applications had been disposed of by November 30, 1927 ?

(2) How many of them were pending on that date ?

(e) (1) How many of the applications were wholly or partially allowed by the district officer and how many totally rejected ?

(2) What is the aggregate amount of compensation awarded to the Hindu applicants ?

(f) How many applications, if any, of the kind referred to above were made within the time limited by law by the Muhammadans of Bareilly and with what result ?

The Hon'ble Sir Sam O'Donnell : (a) 77.

(b) Rupees 1,07,080.

(c) (1) Between September 27 and September 30.

(2) No.

(d) and (e) The district officer does not propose to apply to Government for sanction to pay compensation.

(f) None.

Babu Ohhail Bihari Capoor : With reference to question No. 161 may I inquire as to whether it is permissible under the circumstances to award compensation to persons injured during the disturbances ?

The Hon'ble Sir Sam O'Donnell : The award of compensation is governed by the Act. It is for the district magistrate to make recommendations to Government. He is not satisfied that there was a case for compensation.

Babu Chail Behari Capoor : Did the Government inquire whether the circumstances which should justify the award of compensation existed in Bareilly ?

The Hon'ble Sir Sam O'Donnell : Evidently he said that he was not satisfied that there was any ground for compensation to any particular person.

Babu Chail Behari Capoor : On what facts is this view of the district magistrate based ?

The Hon'ble Sir Sam O'Donnell : Well, I presume, on inquiry.

Pandit Bhagwat Narayan Bhargava : Am I to understand that Government is not empowered to interfere with the discretion of the district magistrate in this respect ?

The Hon'ble Sir Sam O'Donnell : Well I should have to look up the law on that point. That is a legal point.

Pandit Bhagwat Narayan Bhargava : Meanwhile will the Hon'ble the Finance Member ask the district officer to submit a further report ?

The Hon'ble Sir Sam O'Donnell : I see no reason for doing that,

Mr. A. P. Dube : May I inform the Hon'ble the Finance Member. . .

The Hon'ble the President : The honourable member can put a question and not give information.

Mr. A. P. Dube : Does the Hon'ble the Finance Member know that there has been a Privy Council ruling on similar sections in the Bombay Act ?

The Hon'ble Sir Sam O'Donnell : No, I am not aware of the Privy Council ruling.

PUNITIVE POLICE QUARTERED IN BAREILLY CITY.

***162. Babu Ohhail Behari Capoor :** (a) What is the strength of the punitive police force quartered in Bareilly city in consequence of the recent communal disturbances there ?

(b) Since what date has it been quartered ?

(c) What is the monthly cost of its maintenance ?

(d) What is the aggregate amount of the punitive police tax which is to be raised from the local inhabitants ?

(e) What sections of the community, if any, are to be exempted from the payment of this tax ?

(f) By what agency is it intended to collect this tax ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) and (b) The honourable member is referred to the answers to starred questions Nos. 241 and 240 for December 17, 1927.

(c) and (d) Rupees 3,000 and Rs. 50,000 approximately, exclusive of the costs of assessment and collection which have not yet been worked out.

(e) and (f) These points have not yet been determined. Recommendations of the local authorities are awaited.

MUHARRAM DISTURBANCES AT BAREILLY.

***163. Babu Ohhail Behari Capoor :** (a) (1) How many Hindus were injured in the course of the recent Muharram disturbances at Bareilly ?

(2) What is the corresponding number of Muhammadans ?

(b) (1) What is the number of the injuries caused to Hindus by means of (i) blunt weapons and (ii) sharp weapons as noted at the local district hospital ?

(2) What is the corresponding number in the case of Muhammadans ?

The Hon'ble Sir Sam O'Donnell : As a resolution dealing with the Bareilly Muharram riots has been tabled for discussion today, Government do not propose to make any statement at present.

Babu Ohhail Behari Capoor : Does the Hon'ble the Finance Member undertake to give these figures in the course of his speech on the resolution ?

The Hon'ble Sir Sam O'Donnell : Not necessarily. It all depends on the course the discussion takes.

Babu Chhail Behari Capoor : What is the objection to answering these questions ?

The Hon'ble Sir Sam O'Donnell : These questions may come up in connexion with the discussion.

Thakur Manjit Singh Rathor : Is it necessary that information should not be given on matters on which a resolution is coming before the Council ?

The Hon'ble Sir Sam O'Donnell : There is no general rule on the point.

Thakur Manjit Singh Rathor : Is the Government aware that if the information is supplied in answer to the question it will facilitate a proper understanding of the course of discussion today ?

The Hon'ble Sir Sam O'Donnell : That is a matter for argument.

***164 Babu Chhail Behari Capoor :** (a) How many Hindus were murdered in the course of the communal disturbances at Bareilly which commenced on August 28, 1927 ?

(b) How many Hindus were reported by the medical officer as grievously hurt ?

(c) How many Hindus were reported by the medical officer to have received simple injuries ?

(d) What is the corresponding number in the case of Muhammadans ?

The Hon'ble Sir Sam O'Donnell : Government do not propose to make any statement as a number of cases connected with these riots is pending in court.

***165. Babu Chhail Behari Capoor :** (a) Since when has Khan Sahib M. Shafiq-ul-Hasan been Kotwal of Bareilly ?

(b) When is he liable to be transferred from there in the ordinary course ?

(c) How much longer is it intended to keep him there ?

(d) Is the Government aware that since the recent communal disturbances the Hindus of Bareilly have been strenuously pressing for his early removal from Bareilly ?

(e) What is the attitude of the Hon'ble the Home Member towards the Hindu demand for his early removal from Bareilly ?

The Hon'ble Sir Sam O'Donnell : Government do not propose to make any statement, as a resolution concerning Khan Sahib M. Shafiq-ul-Hasan has been tabled for discussion to day.

***166. Babu Chhail Behari Capoor :** (a) How many Hindus were sent up for trial on the charge of murdering certain Muhammadans during the recent communal disturbances at Bareilly ?

(b) Is it a fact that the court which inquired into these charges found the accused innocent and discharged all of them ?

(c) Is it a fact that the sub-inspectors who challaned these cases were Muhammadans ?

(d) For how many days was each of the said accused kept in jail ?

(e) Has any notice been taken of the investigating officers' conduct in relation to these cases ?

The Hon'ble Sir Sam O'Donnell: Government do not propose to make any statement, as a number of cases connected with these riots is pending in court.

*167. **Babu Chhail Behari Capoor:** [*Postponed at the request of Government till the first day of the next meeting.*]

*168. **Babu Chhail Behari Capoor:** (a) Is the Government aware that on August 6, 1927, a Hindu deputation waited on the Superintendent of Police, Bareilly, with a written representation and pressed *inter alia* for the increase of the Hindu element in the permanent civil police of Bareilly district and Bareilly city ?

(b) What were the principal demands put forward by the deputationists ?

(c) To what extent, if any, have their demands been met so far ?

(d) To what further extent, if any, is it intended to meet the demands ?

The Hon'ble Sir Sam O'Donnell: As a resolution dealing with the Bareilly *muharram* riots has been tabled for discussion today, Government do not propose to make any statement at present.

APPOINTMENT OF A HINDU TAHSILDAR AT BAREILLY.

* 169. **Babu Chhail Behari Capoor:** (a) When did a Hindu last hold the office of tahsildar at Bareilly ?

(b) Is it mere accident that for a long time past no Hindu has been appointed to that office ?

(c) Is it the view of the Hon'ble Finance Member that no Hindu tahsildar in the whole of the United Provinces is fit to hold that office ?

(d) If not, will he be pleased to advise the Commissioner of the Rohilkhand division to appoint a Hindu officer to the tahsildarship of Bareilly when that office falls vacant next ?

The Hon'ble Sir Sam O'Donnell: The honourable member is referred to the answers given to starred questions Nos. 8, 48, 62, 63, 64 and 151 on December 17, 1927.

INSTRUCTIONS TO DISTRICT OFFICERS FOR THE SELECTION OF HONORARY MAGISTRATES.

* 170. **Babu Chhail Behari Capoor:** Will the Government kindly lay on the table a copy of the instructions to district officers for the selection of honorary magistrates ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The honourable member is referred to the answer given to starred question No. 124 on December 15, 1925.

MUHARRAM DISTURBANCES IN BAREILLY CITY.

* 171. **Babu Chhail Behari Capoor:** Will the Government kindly lay on the table a statement giving with reference to the recent *Muharram* disturbances in Bareilly city, the following information separately for each of the three police stations there ? :—

(a) (1) Name of police station.

- (ii) Name of officer-in-charge.
- (iii) Name of second officer.
- (iv) Names of head constable.
- (v) Names of report-writers.
- (b) (i) Urban Hindu population subject to the jurisdiction of the police station.
- (ii) Muslim population subject to the jurisdiction of the police station.
- (c) (i) Number of Hindus who reported their injuries at the police station.
- (ii) Number of Muslims who reported their injuries at the police station.
- (d) (i) Number of Hindus challaned by the police.
- (ii) Number of Muslims challaned by the police.
- (e) (i) Number of complaints filed by Hindu against Muslims.
- (ii) Number of complaints filed by Muslims against Hindus.

The Hon'ble Sir Sam O'Donnell : As a resolution dealing with the Bareilly *Muharram* riots has been tabled for discussion to day, Government do not propose to make any statement.

Rai Bahadur Lala Mathura Prasad Mehrotra : Is the Government prepare to answer this question at the next meeting if this resolution is not taken up to-day ?

The Hon'ble Sir Sam O'Donnell : Yes, certainly.

Babu Chhail Behari Capoor : May I ask if the Hon'ble the Finance Member has collected the information at all ?

The Hon'ble Sir Sam O'Donnell : I cannot say that.

Pandit Bhagwat Narayan Bhargava : Is it possible that the Hon'ble the Finance Member will not be able to say anything about this question during the discussion of this resolution ?

The Hon'ble Sir Sam O'Donnell : Wait and see.

* 172. **Babu Chhail Behari Capoor :** [*Postponed at the request of Government till the first day of the next meeting.*]

ELECTION OF BABU CHHAIL BEHARI CAPOOR SAHIB TO THE LEGISLATIVE COUNCIL.

* 173. **Babu Chhail Behari Capoor :** (a) Did the Hon'ble the Home Member discuss with any people from Bareilly the question of putting forward a candidate to oppose me at my election ?

(b) Did the Hon'ble the Home Member telephone any message to Bareilly on this subject ?

The Hon'ble Sir Sam O'Donnell : (a) and (b) Government have no information.

Pandit Bhagwat Narayan Bhargava : Sir, may I ask the Hon'ble the Home Member.

The Hon'ble the President : If the Hon'ble the Home Member wishes to answer the question, I have no objection.

Pandit Bhagwat Narayan Bhargava : Will the Hon'ble the Home Member be pleased to state if the statement made in this question is correct?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I want notice for that.

Mr. C. Y. Chintamani : Has the Hon'ble the Home Member seen this question at all before coming here?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I just now saw it.

Babu Chhail Behari Capoor : My question was addressed to the Hon'ble the Home Member.

The Hon'ble the President : This is a domestic arrangement of Government.

Babu Chhail Behari Capoor : Why should it affect our rights? I am entitled for an answer from the Hon'ble the Home Member.

The Hon'ble the President : The Chair will be trespassing if it interferes with the domestic arrangements of the Government.

Babu Chhail Behari Capoor : May I know if the Hon'ble the Finance Member forwarded a copy of this question to the Hon'ble the Home Member?

The Hon'ble Sir Sam O'Donnell : No.

Rai Bahadur Lala Mathura Prasad Mehrotra : Will the Hon'ble the Finance Member kindly state the reasons why this question was not forwarded to the Hon'ble the Home Member as it was addressed to him?

The Hon'ble Sir Sam O'Donnell : I deal with this question. It came to me in the ordinary course and I answered it.

Pandit Bhagwat Narayan Bhargava : Is it not the practice of the Government to get the information in the ordinary course from the person concerned?

The Hon'ble Sir Sam O'Donnell : That depends upon the nature of the question.

Pandit Nanak Chand : Was any inquiry made from the Hon'ble the Home Member?

The Hon'ble Sir Sam O'Donnell : No.

Pandit Bhagwat Narayan Bhargava : Will the Hon'ble the Home Member kindly search his memory to answer this question?

(No reply was given.)

SUBMISSION OF RETURNS OF ELECTION EXPENSES.

* 174. **Mr. Mukandi Lal :** Will the Government be pleased to place on the table a list of candidates who did not submit their accounts within the prescribed number of days during the last Council election?

* 175. How many and which of them have been disqualified for not submitting their accounts within the prescribed number of days?

The Hon'ble Sir Sam O'Donnell : A statement is laid on the table.

(See Appendix D, page 346.)

* 176. **Mr. Mukandi Lal** : How many and which candidates have been disqualified who during the last election violated any other election rules or committed offences against election rules ?

The Hon'ble Sir Sam O'Donnell : Three candidates, namely, Babu Prag Narayan, Lieut. Raja Durga Narayan Singh and Rai Bahadur Sahu Shiam Sunder Lal, were named in the reports of the Commissions which sat to try election petitions against them, as guilty of corrupt practices. Under rules 5(3) and 22(3) of the United Provinces Electoral Rules, their disqualification automatically followed.

* 177. **Mr. Mukandi Lal** : (a) How many election petitions were filed against the members elected in 1926.

(b) How many of them were withdrawn ?

* 178. In how many cases were the election petitions successful in unseating the sitting members ?

* 179. How many election petitions were filed and how many of them ended in unseating the sitting members in 1921, in 1924, and in 1927 ?

* 177, 178 and 179. **The Hon'ble Sir Sam O'Donnell** : A statement is laid on the table.

(See Appendix E, page 346.)

Mr. Mukandi Lal : May I know why an exception has been made in the case of 12 gentlemen although they did not file their returns of election expenses within the prescribed time ?

The Hon'ble Sir Sam O'Donnell : Each case is considered on its merits. If a candidate can show reasons why he did not comply with the rules and if he has got a good excuse, he is not disqualified.

Mr. Mukandi Lal : Were the candidates disqualified on account of their political views ?

The Hon'ble Sir Sam O'Donnell : No.

* 180 to 184. **Mr. Mukandi Lal** : *[Postponed at the request of Government till the first day of the next meeting.]*

FIXITY OF TENURE IN KOTDWARA AND BHABAR GOVERNMENT ESTATES.

* 185. **Mr. Mukandi Lal** : (a) With reference to the answer to my question No. 164 given on November 4, 1927, the Government was pleased to say that the Agra Tenancy Act of 1926 has conferred on the Government tenants fixity of tenure and heritable rights. Does this apply to Kotdwarra (Garhwal) Bhabar Government estates also ?

(b) If the answer is in the affirmative, when does the Government propose to confer these rights or the occupancy rights on the tenants under the Act as provided by section 17 of the said Act ?

The Hon'ble Sir Sam O'Donnell : (a) The Agra Tenancy Act does not apply to Garhwal.

(b) By the leases in force in Kotdwarra Bhabar Government estates the tenants enjoy fixity of tenure, and ejection of the tenant or his heir is hardly ever resorted to. Government do not consider that any change in the existing arrangements would in fact give the tenants greater security than they already enjoy.

Mr. Mukandi Lal : Is Kotdwara included in the Tarai and Bhabar Government estates ?

The Hon'ble Sir Sam O'Donnell : No, it is not included in what is normally called the Tarai estates. When I referred to granting fixity of tenure to the tenants in the speech to which the honourable member referred in another question, I was thinking of what is normally called the Tarai estates.

Mr. Mukandi Lal : Does the exception mentioned in first schedule of the Agra Tenancy Act apply to the Kotdwara-Bhabar Government estates ?

The Hon'ble Sir Sam O'Donnell : It applies to the whole of Garhwal district.

Mr. Mukandi Lal : Is it a fact that the Government tenants holding leases can be ejected if and when the Government chooses to do so ?

The Hon'ble Sir Sam O'Donnell : When the leases terminate the tenants could legally be ejected, but in fact they are never ejected and the leases are renewed.

Mr. Mukandi Lal : Is there no difference between the fixity of tenure and the land given to tenants on leases ?

The Hon'ble Sir Sam O'Donnell : That seems to me to be argumentative. The position is that these tenants are in practice never ejected.

Mr. Mukandi Lal : Will the Government make them permanent tenants in fact also ?

The Hon'ble Sir Sam O'Donnell : In practice they are permanent tenants.

Mr. Mukandi Lal : Will the Government be pleased to make them permanent tenants *de jure* ?

The Hon'ble Sir Sam O'Donnell : We do not consider that any change in the existing circumstances would lead to any greater security of tenure.

Mr. Mukandi Lal : Have the Government got any reasons why permanency of tenure should not be conferred on the Government tenants of Kotdwara-Bhabar estates ?

The Hon'ble Sir Sam O'Donnell : I may remind the honourable member that the Council accepted the provision in the Agra Tenancy Act which excludes Garhwal from its operations.

Mr. Mukandi Lal : Did the Government make a statement in 1925 with regard to conferring fixity of tenure on the tenants in the Kotdwara-Bhabar Government estates ?

The Hon'ble Sir Sam O'Donnell : I was thinking of the Tarai and Bhabar Government estates, and all our discussions regarding the method in which fixity of tenure was given had reference to the Tarai and Bhabar Government estates and not to the Kotdwara-Bhabar Government estates.

Mr. Mukandi Lal : Is there any fundamental difference between the Kotdwara-Bhabar Government estates and the Tarai and Bhabar Government estates ?

The Hon'ble Sir Sam O'Donnell : That is a matter of opinion. The estates differ in many circumstances.

* 186 to 190. **Lieut Nawab Muhammad Janshed Ali Khan :** *[Postponed at the request of Government till the first day of the next meeting.]*

ASSAULTS MADE BY THE EUROPEAN SOLDIERS ON SOME PEOPLE OF GANIADYOLI RESIDING AT RANIKHET.

*191. **Pandit Govind Ballabh Pant :** Is it a fact that some of the European soldiers residing at Ranikhet assaulted some people at Ganiadyoli on September 22, 1927, and at Nowgaon the next day? What are the details of these incidents? What action was taken against the culprits?

The Hon'ble Sir Sam O'Donnell : (a) Yes.

(b) (i) It is reported that a schoolboy was given a blow by a soldier on September 22, 1927.

(ii) On September 23, on the cart road near the Ranikhet range, two European soldiers are alleged to have assaulted a villager who was passing by with his wife.

(c) Mr. R. N. Dey, I.C.S., Joint Magistrate, was directed to inquire into the matter. Unfortunately the culprits have not been traced, and the complainants express their inability to identify their assailants. Government are fully alive to the importance of preventing the recurrence of such incidents and have the matter under consideration.

Pandit Govind Ballabh Pant : Was Mr. Dey asked to inquire into the matter referred to in sub-clause (ii) of clause (b) of this answer or also into that mentioned in sub-clause (1)?

The Hon'ble Sir Sam O'Donnell : He was asked to inquire into both these cases.

Pandit Govind Ballabh Pant : Have the Government seen the report themselves?

The Hon'ble Sir Sam O'Donnell : Yes.

Pandit Govind Ballabh Pant : Are the Government satisfied that proper steps were taken?

The Hon'ble Sir Sam O'Donnell : Yes.

Pandit Badri Dutt Panle : Does the Government know that there are a lot of undesirable women near Ganiadyoli where soldiers go?

The Hon'ble Sir Sam O'Donnell : I have never heard of the place.

Pandit Badri Dutt Pande : Will the Government inquire into the matter, and ask the Officer Commanding to put it out of bounds?

The Hon'ble Sir Sam O'Donnell : We have this matter under consideration.

Thakur Manjit Singh, Rathor : Was any effort made to trace the culprits?

The Hon'ble Sir Sam O'Donnell : I have answered that already.

Chaudhri Dharamvir Singh : Do the Government know who was this schoolboy?

The Hon'ble Sir Sam O'Donnell : Yes, Mr. Dey examined the schoolboy.

UNSTARRED QUESTIONS.

SALE OF THE MANUAL OF POLICE REGULATIONS.

1. (a) **Babu Ohhail Behari Capoor** : Are there any orders of Government to the effect that the Manual of Police Regulations be not sold to the public ?

(b) If so, what justification is there for such orders ?

Kunwar Jagdish Prasad : The honourable member is referred to the answer given to unstarred question No. 8 asked by Pandit Nanak Chand on December 22, 1925.

VOTE OF CENSURE PASSED AGAINST RAI SAHIB CHAUBE SUDARSHAN LAL BY THE FIROZABAD MUNICIPAL BOARD.

2. (a) **Sri Ganesh Shankar Vidyarthi** : Are the Government aware that a vote of censure has been passed by the Firozabad municipal board against Rai Sahib Chaube Sudarshan Lal, a Government nominated member ?

(b) Are they also aware that in spite of the two warnings from the Government he has attended only three or four meetings of the municipal board, out of about 30 meetings held since his nomination ?

(c) What action, if any, do the Government propose to take in the matter ? If they do not wish to take any action, why not ?

Sir Ivo Elliott : (a) The vote of censure was passed by less than half the number of members forming the board after the business of the day had been finished and five members had left the meeting.

(b) & (c) Rai Sahib Chaube Sudarshan Lal has not failed to attend the meetings of the board for more than three consecutive months since the Commissioner warned him in April last to be regular in attendance. No warnings were given by the Government.

3. **Sri Ganesh Shankar Vidyarthi** : [*Postponed at the request of Government till the first day of the next meeting.*]

MURDER OF THE LATE BADRI SAH OF BAHRAICH.

4. **Sri Ganesh Shankar Vidyarthi** : (a) Will the Government be pleased to state what has so far been done in investigating the murder of the late Badri Sah of Bahraich ?

(b) Did the Government receive any representation from Lala Ram Sarup, son of late Badri Prasad ?

(c) If so, what step has been taken on the representation ?

Kunwar Jagdish Prasad : (a), (b), (c). The case is *sub judice*, and Government do not therefore propose to make any statement.

MEMORIAL FROM THE PATWARIS OF AGRA DISTRICT.

5. **Sri Ganesh Shankar Vidyarthi** : (a) Have the Government received any memorial from the patwaris of Agra district.

(b) If so, what action do the Government propose to take in the matter ?

Mr. H. A. Lane : (a) Yes.

(b) The memorials have been returned to the patwaris for submission through the proper channel.

PRAYER OF THE PEONS OF CIVIL COURTS OF CAWNPORE FOR THE INCREASE OF THEIR PAY.

6. Sri Ganesh Shankar Vidyarthi : Will the Government be pleased to state what action do they propose to take regarding the prayer of the peons of civil courts of Cawnpore for the increase of their pay ?

Mr. R. L. Yorke : The honourable member is referred to the answer given to his starred question No. 50 on June 24, 1927.

JUDGEMENT OF MR. WHITE, DISTRICT AND SESSIONS JUDGE OF CAWNPORE, IN THE CASE OF CROWN *versus* INSPECTOR DWARKA NATH PADRU.

7. Sri Ganesh Shankar Vidyarthi : (a) Has the attention of the Government been drawn to the judgement of Mr. White, the District and Sessions Judge of Cawnpore, in the case Crown *versus* Inspector Dwarka Nath Padru and others ?

(b) If so, have the Government taken any notice of the serious strictures passed by the Sessions Judge against the conduct of head constable Abid Ali and Circle Inspector Yusuf Ali, as regards this case ? If so, what action has Government taken thereupon ?

Kunwar Jagdish Prasad : (a & (b). The Inspector-General of Police has sent for a copy of the judgement and is having inquiry made.

STAY OF BALUCHIS AT FIROZABAD DURING *Muharram*.

8. Sri Ganesh Shankar Vidyarthi : (a) Is it a fact that a group of some two hundred Baluchis was staying at Firozabad during the last *Muharram* days ?

(b) Did the District Magistrate order that they should be moved on ? Was this order complied with ? If not, why not ?

Kunwar Jagdish Prasad : (a) Yes. These were travelling traders from East Persia.

(b) Yes, on the representation of certain Hindus. An inquiry was then made and the order was withdrawn, as it was ascertained that the traders had satisfactory credentials and were of good behaviour.

HARTAL BY HINDU SHOPKEEPERS AT FIROZABAD DURING *Muharram*.

9. Sri Ganesh Shanker Vidyarthi : (a) Are the Government aware that during the last *Muharram* days complete *hartal* was observed by the Hindu shopkeepers at Firozabad for a couple of days ?

(b) Will the Government be pleased to state why the Hindus of Firozabad had to take this step ?

9. Kunwar Jagdish Prasad : (a) The answer is in the negative. Less than ten per cent. of the shops were closed for a few hours only.

(b) Does not arise.

10. Sir Ganesh Shankar Vidyarthi : [*Postponed at the request of Government till the first day of the next meeting.*]

ARREST OF BUSINESS MEN OF GENERALGANJ BAZAR OF CAWNPORE.

11. Sir Ganesh Shankar Vidyarthi : (a) Is it a fact that five persons, including two prominent businessmen of Generalganj bazar of Cawnpore, were arrested on the last *Diwali* day on the charge of murder in the last Cawnpore riot, and were let out on heavy bail or securities ?

(b) Is it a fact that no action has so far been taken as regards their being proceeded with in a court ? If so, why ?

Kunwar Jagdish Prasad : Government do not propose to make any statement, as a number of cases connected with these riots is pending in court,

*12. and 13. **Chaudhri Mangat Singh :** } [*Postponed at the request of Government till the first day of the next meeting.*]

**THE AGRA PROVINCE ZAMINDARS' ASSOCIATION
CONTRIBUTION BILL.**

Babu Uma Shankar : While giving my support to the amendment moved by Rai Bahadur Lala Jagdish Prasad I want to make a few observations. It has been said that the zamindars are a backward community. It is also a fact that most of the zamindars are literate, and that this Bill has been published in the gazette in English only a fortnight ago. There is no necessity of rushing through this Bill. It is not an emergency measure like the Rowlatt Act. There are many persons do not know anything about this Bill. It was said that the Swarajist benches or the non-zamindars have nothing to do with this Bill. Am I to understand that the Swarajists or the non-zamindars do not represent the zamindars or the constituencies represented by them will be exempted from the operation of this Bill. I think they do and their constituencies will not be exempted. I will ask one question from the same honourable member who said that the Swarajists, like non-zamindars, have come to give uninvited advice. Are not the votes upon which the mover and the sponsor of the Bill rely of those who are themselves not zamindars and who do not represent the Agra province, except the one gentleman who is Chairman-Minister. I would ask the members not to rely on the votes of such members who do not represent any constituency, not to say zamindars. The opinions of the Swarajists or the non-zamindars living in Agra have greater weight than the opinions of the persons who represent the Government benches. I may also remind the zamindars of the fact that they should not rely upon the Government because the Government seldom supports beneficial measures for the zamindars. It was the Government who vetoed the Settlement Bill ; it was the Government who withdrew the Land Revenue Bill. So whenever any beneficial measure for the zamindars comes in the Council, the Government will not give a helping hand. So I conclude that this is not a beneficial measure ; it is a taxation measure which is thrust upon the zamindars of the Agra province, who are scattered over a very large area of the province.

[Babu Uma Shankar,]

So I will ask the zaminders of the Agra province to think twice before giving their vote for this taxation measure. It was also said that the assessee had no objection to this Bill; but I have seen that the zamindars also want that this Bill should be referred to the Select Committee. I do not see any urgency why this Bill should not be referred to the Select Committee.

One point more. If this Bill is referred to the Select Committee much public time and money will be saved, because the zamindars of the Muzaffarnagar association have also resolved that if their case is not considered they will have to bring in another Bill for their own association. In these circumstances, I would ask the honourable mover and the zamindars of the Agra province to think twice before giving their vote for this motion.

Thakur Manjit Singh Rathor : I have three reasons why I support the motion to refer the Bill to the Select Committee. Firstly, I think this Bill is a very controversial measure. Yesterday Pandit Venkatesh Narayan Tivary, in the course of his speech, said that a large number of influential and prominent zamindars of Allahabad were opposed to many of the provisions of the Bill. In fact, he mentioned the names of several prominent zamindars, including the aristocracy of Allahabad. I am inclined to think that there is no unanimity on the provisions of this Bill among the thinking section of the zamindars of the Agra province. In fact, the Muzaffarnagar association has already said that if their demands are not incorporated in the Bill they are likely to put before this Council another Bill. Yesterday Babu Ganesh Shankar Vidarthi in his humorous speech said that if the Government are supposed to be so much without work that they are requested to collect taxes on to collect contributions for sundry associations, why should not the Government be pleased to collect subscriptions for the "Leader" or the "Pratap" also. In this Bill the Government wants to collect in their official capacity contributions to the Zamindars' Association. It was pointed out that according to the British Indian Association Act the Government were already doing that. But the honourable members of this House should not forget that the British Indian Association Act had so many redeeming features. It was expressly stated in that Act that a very substantial portion of the money realized would be spent in the cause of education, in the maintenance and running of the Canning College and of the Colvin School. I fail to find any such clause here. Of course notice of amendments are to be seen on the agenda paper which make it obligatory that a good percentage of the revenue realized will be spent for the cause of the Aligarh Muslim University and of the Benares Hindu University. But unless such beneficial provisions are incorporated in the Bill I do not see that this Bill really does provide for a long-standing want.

The second reason why I support a reference to the Select Committee is, as I have said, that this is not an emergency Bill. As pointed out by my friend, Babu Uma Shankar, this is a taxation measure. It is not a measure of executive action; it is not like the Rowlett Act that within 24 hours you pass the Bill into law. This is not a measure in which you have got to take prompt, quick and active action in suppressing some disorder or bringing some people to book. It is a measure

which affects the highest class of society called the landed aristocracy. There are people who say that the landed aristocracy are the pillars of society. My friend behind me, reminds me that they are not the pillars but caterpillars. but I am not inclined to agree with him. I think that just as the tenants constitute the backbone of society so do the zamindars constitute the pillars of society, and the two should work in such a manner that there may be proper development of the nation. Since this is a taxation measure, in as much it is desired that the landlords should contribute regularly and annually a certain portion of their revenue in the interests of the Zamindars' Association. I think there should not be any unseemly hurry in passing this Bill, and this is the third reason why I support a reference of the Bill to the Select Committee. In a measure like this we should not expect the honourable members of this House to be prepared to vote in such a hurry. The Bill has been before us only since the 3rd of December, when it was published in the Gazette—hardly seventeen days ago. It is not a long period to be sure, and besides there is a well known saying: "Err in a hurry and repent at leisure". I would not like the Council to hurry a measure like this and repent at leisure. In an important measure like this the Council should have the opinion of the Select Committee. In an important measure like this the Council must pass the Bill in its proper in its normal, and in its usual due methods of referring the Bill to the Select Committee. The Select Committee are something like what might be described as refining furnaces of an iron factory. The crude ore must pass through the furnace before it can be refined. Similarly if you desire that the Bill should improve and should incorporate wholesome and good clauses the Bill must pass through the Select Committee. It is for these three reasons, viz., firstly, that it is a controversial measure, secondly, that it is a taxation measure and, thirdly, that it should not be passed in a hurry, that I support the motion of Rai Bahadur Lala Jagdish Prasad, and as yesterday a number of leading zamindars including the Rao Sahib of Awagarh, Rai Bahadur Thakur Hanuman Singh and Rai Bahadur Lala Mathura Prasad Mehrotra supported the reference of the Bill to the Select Committee, I hope all other members of this House will agree with them and with me that this Bill should be referred to the Select Committee, so that it might come out in a better form incorporating clauses for a definite portion of the revenue to be devoted to educational and charitable purposes. Unless you do all these things I would be inclined to agree with those who said humorously, as Pandit Badri Dutt Pande said:—"Why not bring a Bill so that Government might collect revenue of the Congress Committee"? another member said: "Why not bring in a Bill so that Government might collect subscriptions for the Kisan Sabhas"? and I would say:—"Why not bring in a Bill that the Government might collect insurance premiums"? With these words I support the reference of the Bill to the Select Committee.

Pandit Nanak Chand: While opposing the motion of my friend, Rai Bahadur Lala Jagdish Prasad, two of my friends Manlvi Obaidur Rahman and Khan Bahadur Masud-ul-Hasan, whom I do not find in his seat, remarked that the motion for a reference of this Bill to the Select Committee proposed by my honourable friend, the member for Muzaffarnagar was only a dilatory motion, that is, its object was to delay the consideration and passage of this Bill. It was further remarked that this is a simple measure, and is a very small Bill which

[Pandit Nanak Chand.]

does not deserve to be sent to the Select Committee, and according to those members it was not necessary for the Bill to undergo this formality. I beg to submit that this is not a dilatory motion. The Bill is not as simple as it is understood to be, and it is evident from the discussion which has been going on from yesterday that the Bill is a controversial measure of doubtful importance even to the zamindars who are members of the association whom it is proposed to affect. The number of amendments also which have been tabled indicates that this is not as simple a measure as it is supposed. As has already been pointed out the Bill was published as late as the 3rd of December, and there is every reason to suppose that even the members of the Association, what to say of zamindars in general, have had very little or no time to understand the principles underlying this Bill, along with all its implications. It has hardly been before them for sufficient time to receive their due attention and to elicit their constructive suggestions. It appears, Sir, that the promoters of this Bill are in an unseemly hurry. It also appears that they cannot trust the merits of their case and they have no confidence in themselves, in the association, and in the members who constitute that association. Perhaps the promoters are too anxious to confront the members of this association with an accomplished fact in the shape of an Act whether they want it or not. They do not want to give them sufficient time for its consideration. Another point which has been urged is that the Bill does not affect any person who is not a member of this association. Perhaps this is due to the fact that even the members who are of this opinion have not carefully gone into the provisions of this Bill as it stands. Clause 3 of the Bill runs as follows :—

“The following persons shall be liable to contribute to the funds of the association, during the continuance of the association, namely—

- (i) All members of the association other than honorary members.
- (ii) The heirs, successors, and assigns of such members, provided that such heirs, successors, and assigns are qualified under the second Schedule of the United Provinces Electoral Rules or such other rules as may for the time being be in force as electors for one of the Agra landholders' constituencies.”

The plain reading of this clause brings home to one who reads it with care that if a zamindar of the Agra Province who is not a member of the association but possesses the qualification under schedule II of the United Provinces Electoral Rules, succeeds as heir, successor, or assignee even to the smallest conceivable part of the zamindari of a member of this association, he will have to submit himself to the all legal obligations which are imposed by this Bill not only in relation to the share to which he has succeeded, but also with regard to his own previous zamindari as well. This means that under this clause people cannot easily purchase or get in any shape whatsoever properties of a member of this association either as heirs or as successors or as assigns unless they were prepared to have this legal obligation imposed upon themselves in respect of their own zamindari which they possessed not as

heirs, successors, or assigns of zamindari of a member of this association, and, what is surprising in this Bill, is the fact that the Rules of Association or the Bill do not give any right of membership to such heirs, successors or assigns, and, in spite of the fact that the membership of the association is voluntary, the rules do not allow a member to sever his connection from the association by means of a resignation if he wishes to do so either on account of the insulting and derogatory provisions of this Bill or for some other reasons, but the association reserves the right to remove any member it so chooses to remove. Once a member joins this association he says good-bye to his freedom to sever his connection, and becomes a party to the allegation that zamindars cannot be trusted to pay even annas four per one hundred rupees of their revenue for their association except under the threat of coercive provisions meant for the recovery of land revenue, including their arrest, detention and attachment and sale of their zamindari. Then, Sir, it is suggested that the provisions of this Bill should be applied without any modification to the Muzaffarnagar Association. If the principle of this Bill is accepted in its present form it will affect as a precedent, the zamindars who are members of the Muzaffarnagar Association after that association is brought under the purview of this Bill. For these reasons it is not correct to say that the provisions of this Bill do not affect any person who is not a member of the association.

Then, Sir, it was pointed out yesterday by my friend the leader of the Swaraj party that there were a number of inconsistencies in this Bill which were not satisfactorily explained, for instance, as to why the operation of this Bill should be confined to those zamindars who pay land revenue sufficient only to enable them to be on the voters' list of the landholders' constituency. May it not be due to the fact that this association wants that it should be recognized as a constituency for returning members to the Legislative Council as in the case of the British Indian Association? Now, Sir, if that is the object of the promoters of this Bill, then it has to be seen whether this association is on all fours with the British Indian Association. The British Indian Association is an association which includes each and every taluqdar of the province of Oudh; there is no taluqdar who was not its member before it was recognized as a constituency; but here what we find is that only a limited number of zamindars qualified to vote in the Agra landholders' constituency are members of this association, if the object of this Bill is to make the association into a constituency similar to the British Indian Association for the purpose of returning members to this Council, I will ask the promoters of this Bill first of all to adopt measures to bring all the present voters of the Agra landholders' constituency within the association as its members. I wish to ask the promoters of the Bill as to what have they in this Bill for those members of the zamindar community who pay Rs. 5,000 per annum as revenue and who have not so far chosen to be members of this association either on account of the way in which this association is run or on account of its policy or on account of its doubtful aims and objects. Will it not be the result of the passage of this Bill that such members of the zamindar community, if the association is recognized as a constituency, will either be left out from the exercise of a right which is their own as members of the zamindar community, on account of

[Pandit Nanak Chand.]

a certain status they occupy in life as zamindars paying more than Rs. 5,000 revenue annually, or shall be coerced into the membership of this association.

It was further remarked by Khan Bahadur Mr. Masud-ul-Hasan that there was no guarantee that the opinion of the Select Committee would be accepted by this House. This is a queer notion, and I expected a better knowledge from my friend. It is usual in the case of every controversial measure that it should be referred to a Select Committee. Measures are never referred to select committees on the understanding that their recommendations will commend themselves *in toto* to the legislature out of which these committees are constituted, but this course of select committee is adopted with a view to sit down round a table and to remove the inconsistencies, the doubtful points and to improve the Bill in the light of accepted principles as indicated in the discussion which usually precedes in the legislatures. I very much deprecate the hurry with which this measure is sought to be incorporated into an Act. If the members of the association and if the zamindars in general approve of this measure, then everything will be gained and nothing can be lost by referring this Bill to a Select Committee as proposed by my friend from Muzaffarnagar. But from the unseemly hurry that is exhibited on this occasion I feel that the promoters of this Bill are not confident of the support that they may or may not get from the members of the association in particular and from the zamindars in general. It is on account of that want of confidence that it is sought that an unusual procedure should be adopted in relation to this measure and it should be hurried through at one single sitting. Possibly also, there might be another reason that the present Government, which is now numbering its last days of existence, is in active sympathy with the promoters of this Bill, who think that the next Government which will be succeeding the present Government may or may not support this measure of a doubtful character. Therefore I submit that there is no reason whatsoever why this measure should be hurried. If there is a good case, the promoters of this Bill should not be afraid to allow it to go to a Select Committee. After all, the Select Committee cannot put an end to the life of this Bill.

If it deserves to be placed on the Statute Book either in its present form or in some modified form—after all the report of the Select Committee will come to this House, and if this House is of opinion that the Bill should be placed on the Statute Book it will be placed on the Statute Book. But if the members who are promoting this Bill are afraid that during this interval, i. e., between now and the time when the report of the Select Committee comes for consideration, the members supporting may be pressed by their respective constituencies, and possibly even by the members of this association, not to vote for this Bill in its present form, with all its present implications, then it is possible that this fear of the constituencies bringing pressure on these members explains their anxiety to see this measure taken into consideration and passed immediately. I submit, Sir, that this measure should be referred to a Select Committee and should be taken into consideration when the report of the Select Committee is before us.

Khan Bahadur Mr. Masud-ul-Hasan : I move the closure.

Raja Jagannath Bakhsh Singh and other members simultaneously rose to speak.

The Hon'ble the President : There are several honourable members who desire to speak. I will accept the closure at a later stage.

Mr. Mukandi Lal : The moving of the closure on this very important Bill is really very surprising, particularly when I know that the honourable members who are interested in the passing of the Bill have a solid majority behind them. If I were a free agent, while on the floor of the House, certainly I would have lent my support to the passing of the Bill. I say "free agent while on the floor of the House," because I am a member of a particular party, and I must abide by the mandate of that party, and if my party decides to oppose it, I would oppose it also, though individually I think I should be quite pleased to help the zamindars in their effort to have this Bill passed.

Sir, it is common knowledge that in every legislature measures involving taxation are invariably opposed. On the face of the earth there is not a single country which does not oppose new taxation. If you go to England, the most patriotic country, which always wants money for the Empire and for war, there also, if you propose new taxation, they oppose it tooth and nail. There is a talk about sur-tax in that country, and you find that the aristocracy there is opposing that proposal for sur-tax tooth and nail. But the aristocracy of these provinces, I am glad to say, are so broad-minded, are so liberal, are so magnanimous that they are proposing legislation for a tax upon themselves. Therefore, so far as it lies in my power, I would have welcomed this measure which opens up new vistas before us. As was pointed out yesterday, some day a corporation of the "Pratap" and the "Leader" may be organized and they may ask for a new measure of taxation. I myself may, one day, propose another resolution in this House, as I did at Naini Tal, that there should be new taxation to have a picture gallery at Lucknow and a chair of art in the Lucknow University. May I go even to this length and say that if the zamindars want to win the sympathy of the public, if they want to follow the landlords of Outh, literally, in their magnanimity, in their love for education and in their patriotism, I am sure that when this Bill goes up to the Select Committee there will be a clause added to it that the zamindars of the Agra Province should maintain a picture gallery, a museum and a chair for art in the Lucknow University. I am sure they will make provision for these. I want to mention one more thing in this connection. I stand for complete freedom, freedom even to commit suicide, and, if it lay in my power, even to amend the Indian Penal Code, I would give freedom to any individual to commit suicide if he so desires, though I fully recognize that society and country has a claim on every individual's life and he has no absolute right to waste his or her life. If the zamindars want to have legislation why should we, a section of society, who do not claim ourselves to be zamindars, in the same sense in which they do, why should we grudge them this new measure? Therefore, I would appeal to my honourable friends, through you, Sir, that when this Bill goes to the Select Committee—I am urging that this should go to the Select Committee—they should give their support to the zamindars to have this new measure of taxation enacted for themselves.

[Mr. Mukandi Lal.]

Sir, there is one thing that surprises me. Why this hurry on the part of the zamindars? Then, why this sphinx-like silence on the part of Government? There seems a sort of conspiracy on the part of Government to rush this Bill through in a hurry. I believe that our zamindar friends are the sons of old fighters and heroes, who have always been lovers of liberty, people who have fought for the freedom of our country; they have lived here not only since 150 years of British rule, they have lived here from the days of Rama and Krishna and old Muslim rulers: they have lived and survived and prospered in spite of there being no legislation to protect them, in spite of there being no Act to legalize and realize their subscriptions. Then, Sir, why all of a sudden, in this year of grace, 1927, on December 19, the zamindars got this new awakening that they must have this legislation. Have the zamindars made up their minds to "walk out" on the New Year's Day that they must pass this Bill on December 19, or December 20, or December 21? Are they afraid that in the next Council they may have a small minority and therefore they may not be able to pass the Bill to protect their association.

Then there is another question. Why this new emergency has been urged on them all of a sudden? Certainly we are justified in demanding of our friends, the zamindars, to convince us why they want this legislation to be passed in such a hurry. My friend Mr. Masud-ul-Hasan, for whom I have great regard, has cited the parliamentary precedent. But for him I would have not given my views on this parliamentary precedent myself. He says, Why not turn the whole House into a committee. What does it mean? A committee of the whole House means, if we follow the precedent of Parliament, that you, our President, would have to walk out of the chair, and the Chairman of the Committee would have to come in to guide the deliberations.

The Hon'ble the President : I would be perfectly willing to commit suicide that way.

Mr. Mukandi Lal : I am glad, Sir, that you are not. The committee is the centre of gravity for a Bill. In the committee we can discuss the Bill freely. Any member can speak as often as he like, so long as he is relevant. Here in the House you would not allow me to speak more than once on the motion. But in the committee of the whole House or the Select Committee I could speak a dozen times. I hope my friends the sponsors of the Bill will accept the motion of my friend for a select committee. If they accept the motion, it is open to the zamindar members to so elect the Select Committee as to maintain their majority in the committee, or they may even move to convert the House into a committee so we could sit in the committee of the whole House. May I inquire of my friends, Sir, why this fear, that now or never? It is open to them when the Bill goes before the Select Committee to appoint as many members as they like of their own party in the Select Committee. The chairman of the Select Committee can always rule out of order any amendment which he thinks to be out of order. On the other hand, if they have got the fear that by going before the Select Committee all the zamindar members will be converted by the opposition members, to their views, well, Sir, that is all the more reason why

they should be allowed to give a second thought to the question. That will give a chance to some of their own colleagues outside this House to press their views on the Bill. What will be the consequence if this Bill is pushed through in such hurry. Unless the zamindars are prepared to convince us why this Bill should not be referred to a Select Committee, I see no reason why it should not be referred to the Select Committee. If they are able to convince us that the opposition to this Bill is on other grounds, I would not be a party to the motion which would say:— "We do not give leave to take into consideration this Bill." I think the zamindar members owe it to themselves, owe it to the House, to inform the House through you, Sir, why they are in such a hurry to push this measure through. If they can convince us of the new circumstances which might have arisen in the country, if they will tell us that unless they are able to organize and become an exclusive corporation forthwith, there is the danger of the democrats coming in and flooding their association, there is the fear of the democracy swamping the zamindars; then that is quite a different thing. If it is so, then it is a new revelation to me that all of a sudden a new fear and a new danger has arisen which is facing the zamindars of the Agra Province. Then it is up to them to prove that, unless they enlist the help of the Government and the help of the Council, they cannot organize themselves effectively to keep out the danger which is threatening them, and that is why they have come in such hurry for this measure. Is there any fear lurking in the minds of the zamindars that if this Bill is referred to a Select Committee it will be so amended there that it will lose its present shape? In that case it would be open to them to withdraw the Bill and bring another Bill at a later date. They are in a majority in the Council, and they will remain in a majority at least for the life-time of this Council. Therefore there is no immediate danger. I hope the zamindar members who are so magnanimous always, and who have shown such generosity in proposing this new taxation on themselves, will be magnanimous enough at this time to listen to the appeals made through you, Sir, in this House to agree to refer this Bill to a Select Committee.

Khan Bahadur Hafiz Hidayat Husain: Yesterday my friend, Khan Bahadur Maulvi Fasih-ud din, said that a wave of socialism was sweeping this country and that the zamindars could not but be affected by it. Sir, this reminds me of a story. A certain John Smith, resident of an old English country town, used to be very regular in his attendance at the small church of his town. He was so regular that he used to be in his pew at least half-an-hour before the service began and would leave the church long after the service had finished. It so happened that for four consecutive Sundays this John Smith did not attend the church. The rumour went round that he had got affected by socialism. The rumour went quickly round the old country town and the matter was referred to the priest. The priest, being somewhat of a broad-minded man, thought that he would interview John Smith and find out the truth for himself. So one fine morning he went to the house of this John Smith and rang the bell. The maid answered and the priest found John Smith sucking barley-water in his room. The priest asked Smith why he had not attended the church and if the rumour was correct that he had been attacked by socialism. John Smith said:— "It is very bad, Sir, it is very bad." The *padri* asked:— "What is it, is it communism?"

[Khan Bahadur Hafiz Hidayat Husain.]

John Smith replied :—" No, Sir, it is very bad, very bad, indeed. " The *padri* said :—" It is still bad, then. Is it Bolshevism ? " John said : " No, sir, it is worse, " and, putting his hand on his side, said : " Sir, it is rheumatism. " It is this rheumatism which has been affecting the body politic of the zamindars of these provinces—and which has retarded the progress of the province as a whole. No wave of socialism can reach this body politic. If therefore we find that a certain institution exists for the purpose of strengthening the zamindars and co-ordinating their powers for good, and if, as was admitted yesterday by a prominent member of the Nationalist Party, an association of this kind was a desideratum in the capital of these provinces, anything that would place this association admittedly meant for the good of the zamindars, on a sound footing, ought to demand our unstinted support and merit our sympathy.

Now, Sir, a motion has been made for the reference of this Bill to a Select Committee, and various arguments have been advanced, some of them contradictory among themselves, in support of the motion. The motion is supported by the loud opposers of the Bill, and their position bespoken by the motion is that the underlying principle of the Bill is accepted. After all, what then is the principle of the Bill ? That can be compressed in one sentence, namely, that the Bill authorizes the Government to realize subscriptions that have so far been paid voluntarily on a basis of compulsion. If we accept this principle, the question is, what is there in the body of this Bill which goes fundamentally against the principle of the Bill and which should not be embodied in the Bill ? Once we accept this principle, then the Bill is so short that we have got only to dot the i's and cross the t's. The Bill consists of a few clauses, and nothing more. The first is the preamble, then we have got definitions, and then we have the liability about the payment of the subscription, which we accept. After that, there is the element of compulsion as to the payment of money. I really fail to understand what is there in the Bill which presents so many insurmountable difficulties—difficulties which can be solved only by a committee, and that, too, consisting of members of this House. It was stated in the course of the debate that the committee would also be empowered to examine, if necessary, persons representing special interests. Nothing has been said as to what those special interests are.

Notice of various amendments has been given. These amendments can at once be considered by this House. Nothing has been shown as to why a full-dress debate must give place to discussion across the table. What powers are going to be invoked to put us in a frame of mind intellectually higher and an atmosphere more clarified than we are in this the last fortnight of December, 1927.

So far three propositions have been put forward before the House in support of the motion that the Bill be referred to a Select Committee. The first is that it is a very controversial measure. After all, controversy must be confined to the principles of the Bill. If an association, formed for improving a certain section of the community, wants the Government to realize its dues by coercive measures, and if this House accepts

the principle that compulsion is allowable for this purpose, then my submission is that there is no controversy left in the matter. Whatever controversy may have existed could only have existed on this broad question. That has now ceased. It has further been stated that the Bill is a taxation measure. I entirely differ from this view. A taxation measure is something quite different from measures of the present nature. In taxation measures taxes are imposed by an outside agency ; whether you like them or not the Government will realize such taxes by all coercive means. Here, the payment is being already made voluntarily, and all that is wanted is that that voluntary payment should be made through the agency of Government and not direct. That is the whole situation admittedly, and thus there is certainly no question of a taxation measure. The third point is that some of my friends complain of the hurry with which this measure is being pushed through. I do not admit this. They plead, however, that this Council having a powerful zamindar element need not be afraid of the fate of the Bill at some later date. Then they charge the zamindars with selfishness, because according to their estimate the zamindar element will be decapitated in the next Council and naturally the Bill will be dropped. I will examine these propositions separately. The zamindars are convinced that this measure is for their benefit and they have decided to pass it. The Council has yet got two years to run. Surely the reference of the Bill to a Select Committee and its subsequent discussion in the Council will not take longer than two years. Then the result would be exactly the same as to what is being asked for today. The zamindars, therefore, do not think that any further time of the Council should be wasted. The second point is that, admitting the position that they fear that in the next Council the zamindar element will be in the minority, why should they not take advantage now of their numerical strength. Human nature being what it is, they certainly desire to pass a measure which they consider to be for the good of their order. The position today is exactly what it was when the Agra Tenancy Bill was passed, despite the wishes of the zamindars. These pious sermons were not acted upon then.

Mr. A. P. Dube : One mistake need not be followed by another.

Khan Bahadur Hafiz Hidayat Husain : We live and learn.

There being only a few clauses in the Bill, and the principle of the Bill having been accepted, there are but few things left for the consideration of the House. My friend to the left, the honoured leader of the Swarajist Party, whose opinions always demand—at least from me—great respect, said yesterday that one of the drawbacks of this Bill was that even if a zamindar parts with his property he will be liable to contribute to the funds of this association. If he had studied the Bill carefully he would have found that these drawbacks do not appear there. Clause 3 of this Bill has to be read along with clause 4. These two clauses read together, along with rule 8 of the Rules of the Association, would at once make it clear that as soon as a member ceases to pay Rs. 5,000 land revenue he, *ipso facto*, ceases to be a member of the association and his liability also disappears.

Pandit Nanak Ohand : He cannot resign himself.

Khan Bahadur Hafiz Hidayat Husain : Under rule 46 of the Rules of the Association the name of such a member can be put up for removal.

Thakur Manjit Singh Rathor : Sir, the honourable member is discussing the clauses of the Bill in detail.

The Hon'ble the President : The honourable member is only replying to the arguments which have been advanced by the other side. I hope the honourable member will be allowed to proceed without any further interruptions.

Khan Bahadur Hafiz Hidayat Husain : With regard to the Muzaffarnagar Association

The Hon'ble the President : That need not be trotted out again.

Khan Bahadur Hafiz Hidayat Husain : I only wanted to make just a brief reference to clear the arguments that have been so much stressed by the other side. The rules of membership of the Muzaffarnagar Association are quite different from those of the Agra Province Zamindars' Association. Here is a Bill to help the Allahabad Association only. The Muzaffarnagar Association is excluded from this body, and for reasons which I stated yesterday these arguments should not be taken seriously. The arguments that have been advanced for referring the Bill to a Select Committee have been discussed at length and none of them can hold water. They have been advanced more for placing obstruction than because there is any point in them. I oppose the amendment to the motion of the honourable member in charge of the Bill.

Raja Jagannath Bakhsh Singh : An appeal was made from the cross-benches yesterday to the taluqdars of Oudh.

Khan Bahadur Maulvi Fasih-ud-din : That was in reference to the amendment that the Bill be published for eliciting public opinion thereon.

Raja Jagannath Bakhsh Singh : May I understand that, as far as our support was required, it was for the sake of the first amendment, and that on the later stages of the Bill that are debated or the clauses that are considered in this House the support and assistance of the taluqdars of Oudh or their representatives in this House is not required?

(A voice: It is required)

Raja Jagannath Bakhsh Singh : If it is required, then I shall be correct in taking a hint from the reference that I have made. It was said that the taluqdars of Oudh were under an obligation to support this Bill because the Bill concerning their own constituency when that was before the Council received the unanimous support of the zamindars of the sister province. I do not deny this; but at the same time I think I should submit before the House that the support that we got from the zamindars of the sister province was also due to the merits of the Bill that was before the Council. I shall not go into the details of the Bill, for the details have already been discussed before this House, but I will say—and I will assure the cross-benches who are keen on supporting this Bill—that the taluqdars do not lag behind in supporting them as far as the principle of this Bill goes. We do not want that the zamindars of the sister province of Agra should not be well-organized; that they may not possess an institution which may safeguard their reasonable and legitimate interests in this House and outside. It will be a great pleasure to us of Oudh to see that the similar

institution in the province of Agra thrives under reasonable and legitimate conditions. Before I proceed to the subject, I hope you will be kind enough to permit me to reply to one point. My friend the honourable member from Pilibhit-cum-Kumaun made a statement yesterday that there was very little difference between the zamindars of Agra and the taluqdars of Oudh, for after the amendments of the Agra Tenancy Bill and the Oudh Rent Bill there is very little difference between the two Acts. I am not here to go on stating the differences; on the other hand, we the Oudh members desire to minimize our differences with the Agra zamindars. But may I tell the honourable member that the taluqdars, as far as their rights and titles are concerned, do not stand upon the Oudh Rent Act. There is an Act called the Oudh Estates Act, and the taluqdars stand upon that as far as their rights and privileges are concerned.

My friend Mr. Hafiz Hidayat Husain, for whose views I have always very great regard, and who, I am sorry, is not at present in the House, has just said that the Agra zamindars are suffering from rheumatism, mental and physical. I hope it is not so. I hope the prime movers of this Bill do not think it to be so. If they think it is so, is it with this desire that this Bill is being passed through this House with lightning speed so that it may have sufficient charge to cure them? He has further said that a large section of the zamindar population wants this Bill, and so there is no question of compulsion. As far as I understood, this is what he meant. I am afraid on that point everybody is not convinced. The motions for eliciting public opinion and for sending the Bill to Select Committee are simply based on the argument that the Bill has not got the support of strong public opinion. I mean the public opinion with which it is concerned. I do not know as to how many zamindars have given their opinions in favour of this Bill; as to whether the association which the Bill concerns has passed any resolution, and, if so, to what effect; as to how many members there are in the association. All these points are necessary. Comparing the two, that is, the British Indian Association Act and the Agra Province Bill, I understand that the taluqdar measure was passed when their association was fully constituted, in proper working order and not only for a short time, but for several years. It was in that condition that that Act was passed. That Act simply consolidated the position of an educational institution and not the position of the taluqdars. It was for the sake of an educational institution that that Act was passed. The Government chiefly desired that Act to be passed in order to make the income of the Canning College assured. But the taluqdars have not reaped any particular benefit from that Act; their income has not increased by one pie. While in this case I find that it seems to be the object of the promoters to consolidate the position of the zamindars in the Act, to organize the association after passing the Act. In such a case I do not dispute their object; I do not say it is not good; I am sure I am with them in this object also; but in this case everybody would like to know as to whether the persons whom they want to constitute in their association, to include in their fold, are fully willing to come in. This certainly is a legitimate question to be answered; this certainly is a legitimate doubt to be settled in the minds of those who entertain it.

[Raja Jagannath Bakhsh Singh.]

My friend the member from Cawnpore has said that there is no compulsion in the Act; that members paying Rs. 5,000 revenue or over, when they have reduced their revenue below that sum, are no longer subscribers to that association. This is a clear example of compulsion. If I do not want to remain a member I should have to sell my property so that my revenue may come down below Rs. 5,000. If this is not compulsion, what else is it? Then he says that under rule 46 of the association the members, although they cannot resign, can be dismissed. Is that a contingency as good as resignation? If these are the conditions, as described by the speaker who has preceded me, then I am afraid that, instead of convincing members for the Bill, they are putting them against it.

A number of points have already been raised in this House; there is one which I would like to raise, and that is that no provision exists in this Act to the effect that unless a certain number of zamindars join this association it will not have full recognition. For instance, suppose there are 800 zamindar members who pay over Rs. 5,000 revenue, but there are only 50 members and the association fails to increase its number. What is the result of all this trouble that the Government and the Council are taking, what will be the result of the responsibility which the Government are shouldering? Will this be only for the 50 members of the association? So if the object of the mover was really to consolidate and to organize the zamindars of the Agra province, there should have been some ratio of the total number of zamindars with the number of members, that unless that proportion were attained the Bill may not be put in force, or the Bill may not be given full rights intended by this legislation. The difference between this and the Oudh Act is that the Oudh Association was fully constituted, while this association is to be constituted after the Bill is passed; the association is newly constituted and it is to be enlarged at present, only a very small number of zamindars being members of this association. With these flaws in this legislation, I do think that it would have been right and proper if time were given to elicit public opinion from zamindars who are chiefly concerned with this Bill. If this was not possible, then the second motion which is before the House, I mean the one of Rai Bahadur Lala Jagdish Prasad that the Bill be referred to a select committee, deserves full consideration of the House. I hope the members supporting the Bill will be pleased to consider the advisability of sending this Bill to the select committee, for rushing it through the House will not add to the future success of this measure. If the association were fully constituted it would not matter much. The association being in its primary stage, there is much work to be done by the promoters and by the prime movers of that association. If the Bill emerges from this House under suspicious conditions, as is evident from the debate that has taken place, I am sure the result of this debate will affect largely the success of this Bill or the success of the zamindars in fully organizing themselves. With these words I support the motion of my friend Rai Bahadur Lala Jagdish Prasad.

Babu Chhail Behari Capoor: Beyond asking a few supplementary questions now and then, ever since my return to this Council I have been studiously silent. In fact even now it was not my intention to take part in this debate at all. But the mystifying attitude of the

official *bloc* has tempted me to get up and lodge a protest against that attitude. What is that attitude? Well, this Bill has been under discussion now for two days and we have not had the advantage of listening even to a single speech from the official benches. One would have thought that the measure which is now before the Council and which has occupied so much of its time was of sufficient importance to induce the Hon'ble the Finance Member at least to be in his seat while the discussions over this Bill were proceeding, but we find, Sir, that he has been absent during the greater part of the debate that has taken place. I admit he and his followers were constitutionally right in recording their silent vote on the amendment which was voted upon yesterday. But as the leader of the most important and the most influential section of the House he owed an explanation to this Council for the attitude which he and his party have adopted. If he had condescended to speak on the amendment yesterday, we would have perhaps been able to obtain from him an explanation about some of the matters that are pertinent to this amendment. Now, this Bill purports to be on the face of it a non-official Bill. It is, if I may say so, the child of the honourable member for Unao at least so far as appearances go, but the rumours are thick in the air that it has been begotten by the official coterie. How far that is true we do not know. If the Hon'ble the Finance Member had condescended to speak, perhaps this doubt which remains in our mind might have been cleared. I do not know even now whether, since the Hon'ble the Finance Member has come into his seat, he has taken note of the objection and will deign to enlighten the Council on this question and the other questions which are cognate. Now, although a non-official measure, it was published in the Gazette on the 3rd of December, I believe. It must have been published with the sanction of His Excellency the Governor; but we presume that he must have been advised in this respect by the Hon'ble the Finance Member who presides over the Revenue department. We should have liked to know what it was that induced the Hon'ble the Finance Member to advise His Excellency to publish this Bill in the official Gazette when it was on the face of it a non-official Bill, and a Bill by no means of an urgent nature. One takes it that the object of publishing the Bill in the Gazette was to do away with the necessity of a motion for leave to introduce the Bill. If the Bill had not been published in the Gazette, such a motion would have had to be made and the consequent effect of the acceptance of such a motion by the House would have been that the Bill would have had to be published in the Gazette subsequently. This would have meant time; this would have meant that the Bill could not normally have been dealt with by this Council till February. It was, therefore, with a view to enable the honourable member for Unao to have his Bill considered by the House today that this unusual procedure was adopted by the Government. The Government owes it to the Council to explain why this departure from the normal and established custom of this House has been adopted in this particular instance.

Now, as regards the merits of the motion which has been under discussion since yesterday afternoon, I think there is hardly any aspect of the question which has not been laid before the House. We know that the measure is not a measure which requires to be enacted today; it is a measure the consideration of which can very well be deferred.

[Babu Chhail Behari Capoor.]

for at least a few months more. It is a measure which the public has not had time to consider in all its bearings. Of course it has been said that the Bill was published more than a fortnight ago and the public could therefore have submitted any representations that might have been necessary, but we must remember that the publication of the Bill was only in the English language. Do those gentlemen who put forward this argument mean seriously to say that the Bill has had a reasonable chance of being considered by the section of the people who are to be directly affected by it? Do they mean to suggest that the bulk of the zamindars are English-knowing men? There would have been some substance in the argument, if the position had been taken up that, although the Bill was published only in the English language, Urdu translations of it had been distributed broadcast among the zamindars, but nobody comes forward to say that this course was adopted. In the circumstances the argument that the Bill has had sufficient time to be considered by the public at large because it was published in the Gazette a fortnight ago is an argument that is absolutely futile. I think the honourable mover would be well advised in accepting the motion for reference to a select committee in order that the interests which are to be affected by this Bill might have a chance of making proper representations. Of course the members of this House are representatives of the public, and in that sense they are fully competent to bring forward any amendments that they think proper, but my complaint is that even the members of this House have not been given sufficient time to think over the issues that this Bill necessarily raises. For these reasons I support the motion for reference of the Bill to the select committee, and I do hope that the Hon'ble the Finance Member will condescend to explain to the House the attitude which the Government have adopted in regard to this Bill.

The Hon'ble the President : Does the honourable member in charge of the Bill wish to make his position clear?

Rai Bahadur Chaudhri Jagannath Prasad : I oppose this amendment.

The Hon'ble the President : If the honourable member wishes to take part in this debate, he may.

Rai Bahadur Chaudhri Jagannath Prasad : I do not think I need inflict any long speech on the House. The points which have been raised by the honourable members who have supported the motion for referring the Bill to select committee have already been met by those who are in favour of the Bill. I would like to say only a word or two. The best argument which I understand the opposition has been able to advance is that the British Indian Association Contribution Bill was referred to a select committee and that select committee took eight months over the deliberation of the Bill. I think this argument goes against them if properly considered. At that time it was thought that there was no precedent; it was thought that the procedure was a new one and therefore there were members in the Council who said that it must go to the select committee, and it was done. Now, we have seen what the select committee did during all its deliberation for eight months. We find certain provisions enacted in Act IV of 1920; we are not going against those provisions, rather our step is a milder one which will be

shown during the discussion at the time of amendments. I think we cannot be charged for rushing the Bill through; rather I think the opposition can be rightly charged with trying to delay the Bill. We have seen, we have read, we have understood the provisions of Act IV of 1920, and if anybody has cared to understand them, he can very well argue on the floor of this House whether the Bill should be passed or not. It is simply due to their eagerness that the passing of this Bill be delayed, that it is being opposed by the opposition and I have serious apprehensions about their motives.

Babu Bhagwati Sahai Bedar : I had no intention of speaking, but a story passed in my mind just now, and that is why I venture to speak. Once upon a time a sahib was sitting in a chair deliberating upon something. All of a sudden his assistant shouted from behind. The sahib asked him: "Why did you shout?" He said: "Sir, thrice I saluted you, but you did not turn your face towards me, and I could not therefore catch your eye." The sahib then said: "Why did you shout at all?" The assistant replied: "I shouted in order to catch your ear." So, Sir, we have been shouting for the last 28 hours over this Bill and saying that this Bill is nothing but a novel display of common sense. It is absurd, and it is not such a Bill that should be enacted into law. But we have been hearing from very venerable gentlemen, from aged honourable members of this House, that we are not the representatives of the zamindars, but those who have come with the votes of the zamindars. I certainly claim to be as much a representative of the zamindars as anybody. I come from the urban area and represent two cities of Moradabad and Shahjahanpur which are full of zamindars, and I do represent them because they have returned me to the Council, unlike those whom Government have nominated for their own ends. Now the question is, what is the justification for the zamindars to ask the Government to realize their tax and what are they going to pay Government in addition for this realization? What is the justification for Government to show preferential treatment to the zamindars? Again, for what purposes is this fund going to be realized and for which association? I have got a blue-book with me here. It says, "Rules and Regulations of the (a) Agra Province Zamindars' Association, (b) Anjuman Zamindaran Sabha, Agra, (c) Agra Prant Mahipat Mahamandal." Another in Bengali should have been added; also in Gujarati. For the sake of advertisement only it is written here "29th September, 1915" in order to show that this association is an old association. I ask honourable members, since when has it come into its proper shape? What are the aims and objects of the association? (a) to co-operate with the Government in devising means for the peace, prosperity, and good government of the country; (b) to adopt all constitutional means, legislative or otherwise, to secure the introduction of such administrative reforms as may from time to time appear to the association to deserve its support; (c) to create a healthy public opinion; (d) to obtain and furnish to zamindars who are members of the Legislative Council accurate information regarding matters of public interest which concern the association or its members; (e) to protect and advance by all constitutional means the interests of the zamindars of the United Provinces and of the province generally; (f) to provide financial assistance from the funds of the association for charitable institutions and other public objects; (g) to assist

[Babu Bhagwati Sahai Bedar.]

zamindars to give their sons a sound and healthy education in order to make them into loyal subjects of His Majesty the King-Emperor and useful and public-spirited members of society. Nobody can say that he is against His Majesty. The question is, what the man in the street thinks about His Majesty. He thinks that the Collector Sahib is His Majesty. If this idea of loyalty to His Majesty is infused irrespective of knowing who His Majesty is, if every child of the zamindar is to be made to believe in loyalty to the so-called His Majesty, it will have a bad effect. Instead of making them public men, I think it will make them private men for private purposes. Again, suppose the Bhandus of Pilibhit sit together and say that these are their aims and objects. For instance, I refer to (e) of the Zamindar's Association, they say, "to protect and advance by all constitutional means the interest of Bhandus of the United Provinces." Will Government be in a position to realize their subscriptions as well? I think they are as much the subjects of His Majesty as any others. Why should this preferential treatment be given to the zamindars alone? Then comes the publication the Bill in the Gazette. I know for certain that only 0001 per cent. of the zamindars knew that such a Bill was coming before the Legislative Council—a Bill which will affect them—not only them, but their heirs, and successors and assigns. Further, I wish to know whether this measure was considered by the general meeting of the zamindar members of the Association. These are questions which ought to have been answered by the honorable mover, so that we may be in a position to know where we stand. First of all, clause (5) says: "Every person who is liable to pay a contribution under this Act shall pay such contribution in the manner prescribed by the United Provinces Land Revenue Act, 1901 . . . and any arrears of contribution shall be recovered in the manner prescribed in the said Act . . ." It is something like the verse of Akbar:

دھمکا کے ہوسہ لوگ رخ رشک ماہ کا * چندہ وصول ہوتا ہی صاحب دباؤ سے

If that is the motive behind it, that because of the fear of Government every zamindar will come forward and say: "Here is the revenue, here is the additional." If that is the motive behind it, zamindars sitting here are at liberty to throw all their wealth. But the question is, whether the association of zamindars here and other zamindars outside have authorized the handful of zamindars sitting here to impose these penalties on them. It has been said by one honourable member that this Bill is very simple and inoffensive. I dare say it is. But there are so many things which are simple but highly offensive. It does not mean that because the language of the Bill is simple, therefore we should support it. No. My friend Chaudhri Jagannath Prasad has spoken about the motives of the Opposition. What are our motives? Nothing, but the welfare of zamindars and zamindars alone. Once upon a time it so happened that a man was standing on the branch of a tree and was cutting the very branch on which he was standing. Another man who was there said:— "Look here, what are you doing? You will come down with the branch." And the inevitable happened. When the branch was cut the man came down with it. So, this Bill will come down upon the heads of the zamindars. I therefore beg the zamindars to

look sharp. Better throw it—I do not say into the waste-paper basket, but refer it to a select committee where it can be discussed threadbare.

In the end I say.

دل آپ کا کہ دل میں جو کچھ ہی سب آپ کا
دل لیجیئے مگر مہے ارمہاں نکال کر

Khan Bahadur Mr. Masud-ul Hasan: I move for the closure, Sir.

The question, that the question be now put, was put and the House divided as below :—

Ayes, 66 ; Noes, 33

Ayes.

Abdullah, Shaikh.
Abdul Bari, Mr. Muhammad.
Abdul Qyum, Haji.
Abdus Sami Khan, Lieut. Khan Bahadur Nawabzada
Abhainandan Prasad, Babu, Rai Bahadur.
Ahmad Ali Khan Alvi, Raja Saiyid.
Ahmad Sa'id Khan. The Hon'ble Lieut. Nawab Muhammad.
Ahmad Shah Mr. E.,
Badre Alam, Khan Bahadur Shah.
Baird, Colonel R. F.
Bihari Lal, Rai Bahadur Lala.
Bikram Singh, Thakur.
Bisheshwar Dayal Seth, Kunwar.
Blunt, Mr. E. A. H.
Channer, Mr. F. F. R.
Chhail Behari Capoor, Babu.
Clarke, Mr. G.
Darwin, Mr. J. H.
Desanges, Mr. H. C.
Dodd, Mr. R. J. S.
Elliott, Sir Ivo
Fasih-ud din, Khan Bahadur Maulvi.
Fazlur-Rahman Khan. Khan Bahadur Maulvi, Muhammad.
Ghulam Husain, Shaikh.
Habib-ullah, Shaikh Muhammad.
Habib-ullah, Maulvi Saiyid.
Hanumat Prasad Singh, Bhaya.
Hidayat Husain Khan Bahadur Hafiz.
Hukum Singh, Thakur.
Jafer Hosain, Khan Bahadur Saiyid.
Jagannath Prasad, Rai Bahadur Chaudh.
Jagdish Prasad, Kunwar.

Jamshed Ali Khan, Lieut. Nawab Muhammad.
Kali Charan Misra, Lieut Raja.
Kishori Prasad Babu.
Kushal Pal Singh, Raja.
Lane, Mr. H. A.
Liaquat Ali Khan, Nawabsada Muhammad.
Mackenzie, Mr. A. H.
Mahbub Ali Khan, Khan Bahadur Hakim.
Mahjit Singh, Maharaj Kumar Major.
Masud-ul-Hasan, Khan Bahadur Mr..
McNair, Mr. A. W.
Mohan Lal, Rai Bahadur Babu.
Muhammad Habib, Mr.
Muhammad Sajjad Ali Khan, Mirza.
Muhammad Yusuf, The Hon'ble Nawab.
Nihal Singh, Sirdar.
Norton, Mr. E. L.
Maulvi Muhammad, Obaid-ur-Rahman Khan
Sam O'Donnell, The Hon'ble Sir
Panna Lal, Mr.
Pratap Bhan Singh, Thakur.
Raghuraj Singh, Raja.
Thakur Rajendra Singh, The Hon'ble.
Rai Rajeshwar Bali, The Hon'ble.
Saiyid Muhammad alias Maiku Mian, Khan Bahadur.
Shafa'at Ahmad Khan, Dr.
Shambhu Dayal, Raja.
Shyam Lal, Babu.
Sri Krishna Dutt Dube, Raja.
Srivastava, Mr. J. P.
Surendra Pratap Sahi, Kunwar.
Wajid Husain, Khan Bahadur Chaudh
Yorke, Mr. R. L.
Zia-ul-Haq, Khan Bahadur Shaikh.

Noes.

Chaudhri, Badan Singh.
Badri Dutt Pande, Pandit.
Bhagwat Narayan Bhargava, Pandit.
Bedar, Babu Bhagwati Saha.
Brijnandan Prasad Misra, Pandit,
Chintammaji, Mr. C. Y.
Devata Prasad Pandit.
Dharamvir Singh Chaudhri.
Dube, Mr. A. P.
Ganesh Shankar Vidyarthi, Sri.
Govind Ballabh Pant, Pandit.
Gulab Singh, Thakur.
Iqbal Narayan Gurtu, Pandit.
Hanuman Singh, Rai Bahadur, Thakur.
Har Prasad Singh, Thakur.
Jagannath Baksh Singh, Raja.
Lala Jagdish Prasad, Rai Bahadur.

Krishna Pal Singh, Rao.
Mangat Singh, Chaudhri.
Manjit Singh, Rathor, Thakur.
Mathura Prasad Mehrotra, Lala Rai Bahadur
Mukandi Lal, Mr.
Mulohend Dube, Pandit
Nanak Chand, Pandit.
Nemi Saran, Lala.
Rahas Bihari Tiwari, Pandit.
Sadho Singh, Thakur.
Sankata Prasad Bajpai, Rai Bahadur Pandit
Shiva Shankar Singh, Thakur.
Shankar, Babu Uma.
Venkatesh Narayan Tiwari, Pandit.
Vijai Pal Singh, Chaudhri.
Zahur-ud-din, Maulvi.

The Hon'ble the President : I shall now put the amendment moved by Rai Bahadur Lala Jagdish Prasad to the House. The question is that the Agra Province Zamindars' Association Contribution Bill be referred to a select committee.

Question put, that the amendment moved by Rai Bahadur Lala Jagdish Prasad be adopted. The House divided :—

Ayes, 36 ; Noes, 65.

Ayes.

Badan Singh, Chaudhri.
 Badri Dutt Pande, Pandit.
 Bhagwat Narayan Bhargava, Pandit.
 Bhagwati Sabai Bedar, Babu.
 Brijnandan Prasad Misra, Pandit.
 Chhail Behari Capoor, Babu.
 Chintamani, Mr. C. Y.
 Devata Prasad, Pandit.
 Dharamvir Singh, Chaudhri.
 Dube, Mr. A. F.
 Ganesh Shanker Vidyarthi, Sri.
 Govind Pallabh Pant, Pandit.
 Gulab Singh, Thakur.
 Hanuman Singh, Rai Bahadur, Thakur.
 Har Prasad Singh, Thakur.
 Iqbal Narayan Gurtu, Pandit.
 Jagannath Bakhsh Singh, Raja.
 Jagdish Prasad, Rai Bahadur Lala.
 Kavendra Narayan Singh, Babu.

Kishori Prasad, Babu.
 Krishna Pal Singh, Rao.
 Manak Singh, Thakur.
 Mangit Singh, Chaudhri.
 Manjit Singh Rathor, Thakur.
 Lala Mathura Prasad Mehrotra, Rai Bahadur.
 Mukandi Lal, Mr.
 Mulchand, Dube, Pandit.
 Nanak Chand, Pandit.
 Nemi Saran, Lala.
 Rahas Bihari Tiwari, Pandit.
 Sadho Singh, Thakur.
 Prasad Bijlani, Rai Bahadur Pandit Sankata.
 Shiva Shankar Singh, Thakur.
 Uma Shankar Babu.
 Venkatesh Narayan Tiwari, Pandit.
 Vijai Pal Singh, Chaudhri.

Noes.

Abdullah, Shaikh.
 Abdul Bari, Muhammad Mr.
 Abdul Qayum, Haji.
 Abdus Sami Khan, Lieut. Khan Bahadur Nawabzada.
 Abhinandan Prasad, Rai Bahadur, Babu.
 Ahmad Ali Khan Alvi, Raja Saiyid.
 Ahmad Sa'id Khan, The Hon'ble Lieut. Nawab Muhammad.
 Ahmad Shah, Mr. E.
 Badre Alam, Khan Bahadur Shah.
 Baird, Colonel R. F.
 Bihari Lal, Rai Bahadur Lala.
 Bikram Singh, Thakur.
 Bisheshwar Dayal Seth, Kunwar.
 Blunt Mr. E. A. H.
 Channer, Mr. F. F. R.
 Clarke, Mr. G.
 Darwin Mr. J. H.
 Desanges, Mr. H. C.
 Dodd, Mr. R. J. S.
 Elliott, Sir Ivo.
 Fasih-ud-din, Khan Bahadur Maulvi.
 Fazl-ur-Rahman Khan, Khan Bahadur Maulvi Muhammad.
 Ghulam Husain, Shaikh.
 Habib-ullah, Shaikh Muhammad.
 Habib-ullah, Maulvi Saiyid.
 Hanumat Prasad Singh, Bhaya.
 Hidayat Husain, Khan Bahadur Hafiz.
 Hukum, Singh Thakur.
 Jafer Hosain, Khan Bahadur Saiyid.
 Jagannath Prasad, Rai Bahadur Chaudhri.
 Jagdish Prasad, Kunwar.
 Jamsheed Ali Khan, Lieut. Nawab Muhammad.

Kali Charan Misra, Lieut. Raja.
 Kushal Lal Singh, Raja.
 Lane, Mr. H. A.
 Liyaqat Ali Khan, Nawabzada Muhammad.
 Mackenzie, Mr. A. H.
 Mahbub Ali Khan, Khan Bahadur, Hakim.
 Mahijat Singh, Maharaj Kumar Major.
 Masud-ul-Hasan, Khan Bahadur, Mr.
 McNair, Mr. A. W.
 Mohan Lal, Rai Bahadur Babu.
 Muhammad Habib Mr.
 Muhammad Sajjad Ali, Mirza.
 Muhammad Yusuf, The Hon'ble Nawab.
 Nihal Singh Sardar.
 Norton, Mr. E. L.
 Obaid-ur-Rahman, Khan Maulvi Muhammad.
 O'Donnell, The Hon'ble Sir Sam.
 Panna Lal, Mr.
 Partap Bhan Singh, Thakur.
 Raghubraj Singh, Raja.
 Rendra Singh, The Hon'ble Thakur.
 Rajeshwar Bai, The Hon'ble Rai.
 Rama Charana, Babu.
 Saiyid Muhammad alias Maiku Mian, Khan Bahadur.
 Shata'at Ahmad, Raja, Dr.
 Shambhu Dayal, Raja.
 Shyam Lal, Babu.
 Sri Krishna Dutt Dube, Raja.
 Srivastava, Mr. J. P.
 Surendra Pratap Sahi, Kunwar.
 Wajid Husain, Khan Bahadur Chaudhri.
 Yorke, Mr. R. L.
 Zai-ul-Haq, Khan Bahadur Shaikh.

The Hon'ble the President : The question is that the Bill be taken in'o consideration.

Pandit Bhagwat Narayan Bhargava : Sir, I want your permission to move that under Standing Order No. 19(a), the consideration of the Bill be postponed. I have certain reasons for moving this postponement. The motion refers to clause (6) of that Standing Order.

The Hon'ble the President : This can be done only with the permission of the Chair.

Pandit Bhagwat Narayan Bhargava : Yes, Sir, I am seeking your permission.

The Hon'ble the President : Will the honourable member give his reasons?

Pandit Bhagwat Narayan Bhargava : There are two reasons. The first reason is that we have got only about seven hours, including tomorrow for the discussion of this Bill. There are about 34 amendments. It is just possible that there will be amendments to the amendments. If ordinarily one amendment takes about 20 minutes it will require at least nine hours to go through this Bill. Therefore I think it is not possible for us to finish this business within that time.

Another reason is that there are several resolutions on the agenda and we have not been able to touch any of them on account of this Bill. If this Bill is continued then it will mean that we will not be able to touch any other non-official business for which days have been allotted.

The Hon'ble the President : The honourable member wishes to put forward the motion for the postponement of the business under consideration under Standing Order 19 (a). This can be done without notice if the President permits.

The honourable member has advanced two reasons, the first reason on his own showing, is too premature, because if the House is not able to finish the clauses of the Bill by tomorrow evening it will be time then for them to decide whether there should be a motion for postponement. To say now that there should be a motion for postponement because there are so many amendments on the notice paper does not hold water at least with me. As regards the other reason, I wish only to remark reluctantly that the honourable members themselves are to some extent responsible for prolonging the debate. So I do not see my way to allow this motion to be put forward.

Pandit Govind Ballabh Pant : I gave you a list of certain papers which I need very urgently. Standing Order 42 lays down that any member may at any stage after the introduction of the Bill and before it is passed ask for any papers connected with the Bill. I had hoped that the House would be pleased to commit this Bill to a select committee, where we would have the opportunity of getting the necessary material to deal with the various clauses of the Bill.

The Hon'ble the President : Will the honourable member read out the statement of papers which he wants? They will thus form part of the proceedings.

Pandit Govind Ballabh Pant : I want the following papers :—

- (1) Statement showing the contributions paid voluntarily from year to year during the last five years.
- (2) Report of the proceedings of the meetings of the general body and executive committee of the Agra Province Zamindars' Association adopting this Bill.
- (3) List of members of the Agra Zamindars' Association year by year for the last five years.
- (4) List of present members of the Agra Zamindars' Association and correspondence between them and the officers of the association regarding this Bill.
- (5) List of the heirs, successors, and assigns of members who have any time made contributions to the association so far.
- (6) Annual reports for the last five years.

All these papers I want under Standing Order No. 42A.

The Hon'ble the President : The honourable member handed over to me at 11-50 a requisition for the papers which he wanted from the member in charge of the Bill. Copies of this notice were at once handed in to Government as well as the member in charge of this Bill. Is the member-in-charge of the Bill in a position to furnish the information, which the honourable member for Naini Tai wants?

Rai Bahadur Chaudhri Jagannath Prasad : I cannot give the papers, because I had no previous notice. I think this is another way of delaying the Bill.

The Hon'ble the President : I cannot permit the honourable member to give reasons at length. The only question is whether he is ready to give the papers or whether he undertakes to give the papers within a reasonable time.

Rai Bahadur Chaudhri Jagannath Prasad : It will require months to collect the information and supply the papers.

Pandit Govind Ballabh Pant : With your permission Sir, I beg to move under paragraph 53, subclause (6), for the adjournment of this debate on the motion for the consideration of the Bill, and the reason why I do so is perhaps plain enough from the nature of the reply given by the gentleman who has moved this measure. The information that I have sought is absolutely necessary for proceeding with the consideration of the Bill which is before us. Under the rule which I quoted just a minute ago a member is entitled to ask for papers connected with the Bill that is under consideration. There can be no doubt that the papers that I have asked for are connected with the Bill which Rai Bahadur Chaudhri Jagannath Prasad has introduced. If you, Sir, read the clauses of the Bill and the preamble, you will be pleased to find that all the information that I have sought is such that without it one cannot make up his mind definitely about the measure that is before us. For example, it begins by saying that whereas contributions have been made voluntarily so far it is now proposed that these contributions be realized in this manner. All I want to know is what amount has been voluntarily contributed so far; by whom it has been so contributed; whether it has been contributed or not . . .

The Hon'ble the President : The point that you want to make is that all these papers are relevant to the Bill under consideration. I permit that the honourable member may move his motion for postponement.

Pandit Govind Ballabh Pant : I move that the consideration of the motion that the Agra Province Zamindars' Association Contribution Bill be taken into consideration be postponed.

The Hon'ble the President : The honourable member had better develop his arguments after lunch.

At this stage the Council adjourned for lunch.

After the recess.—

Pandit Govind Ballabh Pant : Sir, with your permission I had just made the motion, when the Council rose for lunch, that the consideration of the motion that the Agra Zamindars' Association Contribution Bill be taken into consideration be postponed. This was in consequence of the answer given by the honourable member in charge of the Bill to the request made by me through you, Sir, for certain papers. The information that I had sought was essential to a rational consideration of the measure that is before us. I was surprised to hear that he was not in a position to furnish the information, for it is inconceivable that any man with any sense of responsibility for a measure of this character would have done so, realizing the responsibility which he owes to those who are to be affected by that measure. If one is not in a position even to furnish such information as I wanted that is enough to indicate in what an irresponsible spirit this measure is being carried through this House. My friend, the honourable mover, was pleased to observe that he questioned the motives of those who were asking the House to bestow more of thought and more of consideration and to take more of care and caution in putting such a measure through and in finding a place for it permanently in the Statute Book. I do not know what he meant thereby. But perhaps I am not wrong in believing that he has no interest in the province of Agra and perhaps I am not wrong in believing . . .

The Hon'ble the President : May I know if the honourable member is discussing the postponement of the motion for the consideration of the Bill?

Pandit Govind Ballabh Pant : Yes, Sir. This is only one of the reasons that I am advancing. Now, the fact that he has no interest in the province of Agra and he does not conceive the possibility of his ever joining the association further adds to the weight of my argument and it shows that that is perhaps the reason why he has fathered such a measure in this House without even collecting information of an elementary nature, without knowing which nobody would ever make himself answerable for a measure of such a far-reaching character. Sometimes people have motives of their own in doing things which are not likely to affect them at any date or time in future. The Bill says that certain contributions have been made by the members and we have been told that what is being sought thereby, is only to regularize the practice and to introduce a process of coercion. Are we not entitled to know who are the members of the association at present for whose benefit this Bill has been framed? Are we not entitled to know whether there was or was not a meeting of the general body of the association or of the executive committee, and in case there was, what

[Pandit Govind Ballabh Pant.]

were the proceedings of that committee or of that body? That is the information that I applied for and I am told by the promoters of the Bill that they are not in a position to furnish a list of the members or to place before us a copy of the proceedings of the meeting connected with this Bill. If such meeting has not been held, nothing can be more preposterous than this, that a Bill affecting a particular organization should be placed before this House and yet the views of that very organization which is to be affected thereby should not have been sounded in a formal manner. I also wanted to know whether the practice by which the heirs, successors or assigns are sought to be charged permanently by means of this Bill has been in vogue so far and whether there has ever been any heir, or successor or assign of any member at any time who has made any contribution towards the funds of this association without first being a member thereof, because if it is only an existing practice that is being regularized, I presume there must have been some cases previously and it should be possible for the responsible officer of the association to give their names. Then I wanted to see their annual reports for the last five years.

Kunwar Jagdish Prasad : Why?

Pandit Govind Ballabh Pant : Thank you for the question. We are being asked to frame a law for this association; I want to know what is the exact status of this association. I want to know what is the actual income and expenditure of this association and I want to know what have been the activities of the association. I want to know how the Chief Secretary has been taking an interest in the chief activities of the central institution of the zamindars of Agra for whom he has such an exuberant zeal and enthusiasm which he cannot repress or suppress instead of the natural restraint which office should impose upon every public servant. So I wanted to know all these things. How can we know anything about this association unless we have its report before us? So all this is obviously necessary for a reasonable consideration of the measure that is before us and I go further and submit that when my request was entertained by you under rule 76, those who were in a position to supply this information were constitutionally bound to do so and when they refused to furnish that information, *ipso facto* and automatically the debate should have been postponed to compel them to place this information before this House. But as they have not chosen to supply even this necessary information I am compelled in the circumstances to move that the consideration of the motion that is before the House be adjourned. We have serious business to do and it is but necessary that we should understand the implication of the measure which is before us. I will not take more of the time of the House. I hope they will be pleased to accept the motion for postponement that I have moved.

Rai Bahadur Chaudhri Jagannath Prasad : I think the desire to get the information sought for is not very sincere.

The Hon'ble the President : May I once for all remind the honourable member that it is contrary to parliamentary tradition to impute motives to members of the House of Legislature.

Rai Bahadur Chaudhri Jagannath Prasad : I beg your pardon. I say that the information was not sought for before and therefore at a moment's notice it cannot be supplied and it will simply delay the passing of the Bill.

The motion was put and the House divided as below :—

Ayes, 36 ; Noes. 50.

Ayes.

Badan Singh, Chaudhri.
Badri Dutt Pande, Pandit.
Bhagwati Narayan Bhargava, Pandit.
Bhagwati Sahai Bedar, Babu.
Brijnandan Prasad Misra, Pandit.
Chhail Behari Capoor, Babu.
Chintamani Mr. O. Y.
Devata Prasad, Pandit.
Dharamvir Singh, Chaudhri.
Dube, Mr. A. P.
Ganga Prasad Roy, Babu.
Govind Ballabh Pant, Pandit.
Gulab, Singh, Thakur.
Gurtu, Iqbal Narayan, Pandit.
Hanuman Singh, Rai Bahadur, Thakur.
Har Prasad Singh, Thakur.
Hukum Singh, Thakur.
Jagannath Bakhsh Singh, Raja.
Jagdish Prasad, Rai Bahadur, Lala.

Kavendra Narayan Singh, Babu.
Kishori Prasad, Babu.
Krishna Pal Singh, Rao.
Manak Singh, Thakur.
Mangat Singh, Chaudhri.
Manjit Singh Rathor, Thakur.
Mathura Prasad Mehrotra, Rai Bahadur Lala.
Mukundi, Lal Mr.
Mulchand Dube, Pandit.
Nanak Chand, Pandit.
Nemi Saran, Lala.
Rahas Bihari Tiwari, Pandit.
Sadho Singh, Thakur.
Sankata Prasad Bajpai, Rai Bahadur, Pandit.
Shiva Shankar Singh, Thakur.
Uma Shankar, Babu.
Vijai Pal Singh, Chaudhri.

Noes.

Abdullah, Sheikh.
Abdul Bari, Mr. Muhammad.
Abdul Qayum, Haji.
Abdus Sami Khan, Lieut. Khan Bahadur, Nawabzada.
Abhainandan Prasad, Rai Bahadur, Babu.
Ahmat Sa'id Khan, The Hon'ble Lieut. Nawab, Muhammad.
Ahmad Shah, Mr. E.
Baird, Colonel R. F.
Bihari Lal, Rai Bahadur, Lala.
Bikram Singh, Thakur.
Blunt, Mr. E. A. H.
Chalner, Mr. F. F. R.
Darwin, Mr. J. H.
Desanges, Mr. H. C.
Dodd, Mr. R. J. S.
Ellhott, Sir Ivo.
Fasih-ud-din, Khan Bahadur, Maulvi.
Fazl-ur-Rahman Khan, Khan Bahadur Muhammad Maulvi.
Hannumat Prasad Singh, Bhaya.
Hidayat Husain, Khan Bahadur Hafiz.
Jafer Hosain, Khan Bahadur, Saiyid.
Jagannath Prasad, Rai Bahadur Chaudhri.
Jagdish Prasad, Kunwar.
Jamshed Ali Khan, Lieut. Nawab Muhammad

Kushal Pal Singh, Raja.
Lane, Mr. H. A.
Liaquat Ali Khan, Nawabzada Muhammad.
Mackenzie, Mr. A. H.
Mahbub Ali Khan, Khan Bahadur Hakim.
Mahmud Singh, Maharaj Kumar, Major.
Masud-ul-Hasan Khan Bahadur, Mr.
McNair, Mr. A. W.
Mohan Lal, Rai Bahadur, Babu.
Muhammad Habib, Mr.
Muhammad Yusuf, The Hon'ble Nawab.
Nihal Singh, Sirdar.
Norton, Mr. E. L.
Obaid-ur-Rahman Khan, Maulvi Muhammad.
O'Donnell, The Hon'ble Sir Sam.
Panna Lal, Mr.
Pratap Bhan Singh, Thakur.
Rajendra Singh, The Hon'ble Thakur.
Rajeshwar Bali, The Hon'ble Rai.
Saiyid Muhammad alias Maiku Mian, Khan Bahadur.
Shafa'at Ahmad Khan, Dr.
Shyam Lal, Babu.
Sri Krishna Dutt Dube, Raja.
Surendra Pratap Sahi, Kunwar.
Yorke, Mr. R. L.
Zia-ul-Haq, Khan Bahadur Sheikh.

Mr. O. Y. Chintamani : Under standing Order No. 42A, I beg to ask for the production of the correspondence on the subject of this Bill which has taken place between the Agra Province Zamindars' Association, the Governor of the United Provinces in Council, and the Governor General in Council. I need not say many words in support of this as it would be obvious to anyone with a very little consideration how material these papers are to the proper disposal of this Bill.

The Hon'ble the President: Is Government prepared to furnish the papers asked for?

The Hon'ble Sir Sam O'Donnell: I am not aware that there has been any correspondence between the Government and the Agra Province Zamindars' Association. As to correspondence with the Government of India I am not prepared to produce it.

Mr. C. Y. Chintamani: In view of that circumstance I move under paragraph (6) of the Standing Order No. 19(a) for the postponement of the business under consideration. My explanatory statement will have to include a brief reply to the Hon'ble the Finance Member's refusal to produce papers. I hope I shall be in order. It is very difficult to imagine that there would have been previous publication of the Bill in order to do away with motion for leave to introduce it, and further a Bill like this could not be introduced without previous sanction. Therefore I am somewhat taken aback by the statement of the Hon'ble the Finance Member that he was not aware that there had been any correspondence between the association and the Local Government on this Bill. I am glad that he said that he was not aware. Strange things have happened. Truth is stranger than fiction. There may have been correspondence of which he was not aware, but I find it difficult to believe that there would have been no correspondence. If there had been none, there must have been an oral exchange of views the purport of which it is material that the Council should know. As regards the Government of India, we are not concerned with, even if we might have been aware of in part, what might be the official relations with regard to official correspondence. But here is a measure before the Legislative Council which has caused so much interest that since yesterday we have been engaged in the consideration of it. We asked for the papers relating to it and we are told by the leader of the House, the Hon'ble the Finance Member of the Government, that he is unaware that they exist and that he is not prepared to produce them, and yet we have been witnessing what the official attitude towards the Bill has been, unexpressed in words though it may have been. I think it is a legitimate grievance on our part that the papers should be produced, and as we shall not be able to do full justice to the various aspects of the measure on account of the attitude which the Government have taken, I move for the postponement of the business under consideration.

The Hon'ble Sir Sam O'Donnell: As regards the first correspondence asked for, I have already said that, so far as I am aware, there has been no correspondence with the Zamindars' Association. I have consulted the secretary and he tells me that he cannot trace any such correspondence in the file. Notice of the Bill was given by a number of honourable members. It required the previous sanction of the Governor General and according to the ordinary procedure the request for sanction was forwarded through the Local Government to the Government of India. That correspondence cannot be produced under the Standing Orders and the demand for the production of such correspondence is entirely without precedent. The honourable member is as well aware as I am that correspondence between the Local Government and the Government of India cannot be produced, nor is there any precedent whatever for the production of such papers.

The motion was put and the House divided as below :—

Ages 36 ; Nos 56

Ayes.

Badan Singh, Chaudhri.
Badri Dutt Pande, Pandit.
Bhagwat Narain Bhargava, Pandit.
Bhagwati Sahai Bedar, Babu.
Brijnandan Prasad Misra, Pandit.
Chhail Behari Capoor, Babu.
Chintamani Mr. C. Y.
Devata Prasad, Pandit
Dharamvir Singh, Chaud. r.
Dube, Mr. A. P.
Gauresh Shankar Vidyarthi, Sri.
Ganga Prasad Roy, Babu.
Govind Ballabh Pant, Pandit
Gulab Singh, Thakur.
Gurtu, Iqbal Narayan, Pandit
Hanuman Singh, Rai Bahadur Thakur.
Har Prasad Singh, Thakur.
Jagannath Bakhsh Singh, Raja.
Jagdish Prasad, Rai Bahadur, Lala.

Kavendra Narayan Singh, Babu.
Kishori Prasad, Babu.
Krishna Pal Singh, Rao.
Manak Singh, Thakur.
Mangat Singh, Chaudhri.
Manjit Singh Rathor, Thakur
Mathura Prasad Mehrotra, Rai Bahadur,
Lala.
Mukandi Lal, Mr.
Mulchand Dube, Pandit.
Nanak Chand, Pandit.
Nemi Saran, Lala.
Rahas Bibari Tiwari, Pandit.
Sadho Singh, Thakur.
Sankata Prasad Bajpai, Rai Bahadur
Pandit.
Shiva Shankar Singh, Thakur.
Uma Shankar, Babu.
Vijai Pal Singh, Chaudhri.

Noes.

Abdullah, Shaikh.
Abdul Bari, Mr. Muhammad.
Abdul Qayum, Haji.
Abdus Sami Khan, Lieut. Khan Bahadur
Nawabzada.
Abhainandan Prasad, Rai Bahadur Babu.
Ahmad Sa'id Khan, The Hon'ble Lieut.
Nawab Muhammad.
Ahmad Shah, Mr. E.
Badre Alam, Khun Bahadur, Shah.
Baird, Colonel R. F.
Bihari Lal, Rai Bahadur, Lala.
Bikram Singh, Thakur.
Bisheshwar Dayal Seth, Kunwar.
Blunt, Mr. E. A. H.
Channer, Mr. F. F. R.
Clarke, Mr. G.
Darwin, Mr. J. H.
Desanges, Mr. H. C.
Dodd, Mr. R. J. S.
Elliott, Sir Ivo
Fasih-ud-din, Khan Bahadur, Maulvi.
Fazl-ur-Rahman Khan, Khan Bahadur,
Maulvi Muhammad.
Habib-ullah, Maulvi Saiyi
Hidayat Hosain, Khan Bahadur, Hafiz.
Hukum Singh, Thakur.
Jafar Hussain, Khan Bahadur Saiyid.
Jagannth Prasad, Rai Bahadur Chaudhri.
Jagdish Prasad, Kunwar.
Jamshed Ali Khan, Lieut. Nawab Muham-
mad.

Kushal Pal Singh, Raja.
Lane, Mr. H. A.
Liaqat Ali Khan, Nawabzada Muhammad.
Mockenzie, Mr. A. H.
Mahbub Ali Khan, Khan Bahadur Hakim.
Mahijit Singh, Maharaj Kumar Major.
Masud-ul-Hasan, Khan Bahadur, Mr.
MacNair, Mr. A. W.
Mohan Lal, Rai Bahadur, Babu.
Muhammad Habib, Mr.
Muhammad Yusuf, The Hon'ble Nawab.
Nihal Singh, Sardar.
Norton, Mr. E. L.
Obaid-ur-Rahman Khan, Maulvi Muham-
mad.
O'Donnell, The Hon'ble Sir Sam.
Panna Lal, Mr.
Pratab Bhan Singh, Thakur
Rajendra Singh, The Hon'ble Thakur.
Rajeshwar Bali, The Hon'ble Rai
Rama Charana, Babu.
Saiyid Muhammad alias Maiku Man,
Khan Bahadur.
Sata'at Ahmad Khan, Dr
Shyam Lal, Babu.
Sri Krishna Dutt Dube, Raja.
Surendra Pratab Sahi, Kunwar.
Yorke, Mr. R. L.
Zahur-ud din Maulvi
Zia-ul-Haq, Khan Bahadur, Shaikh.

The Hon'ble the President : The question is that the Agra Province Zamindars' Association Contribution Bill be taken into consideration.

Lala Nemi Saran : I rise to oppose the motion now before the Council not on the ground as might be expected from some quarters that I am going to move it as a dilatory measure in order to take the time of the Council with a view to delay the passing of this Bill, but, Sir, I have found from the various speeches that have been made in connexion with the various stages through which the Bill has passed,

[Lala Nemi Saran.]

that the promoters of the Bill for reasons best known to themselves have taken an attitude which is most unreasonable and to a certain extent I believe also one which is not in consonance with the ordinary etiquette and procedure of business of this House.

Sir, I myself had given an amendment for reference of this Bill to the Select Committee, but that, too, I did not move nor did I speak on that motion, because I thought that it would be under the circumstances simply a waste of time and that I might be labelled as a person who wants to be an impediment in the passage of this Bill. In fact, Sir, I am myself, if not a big zamindar, at least a small zamindar and have got the interest of the zamindars at heart. I am not one of those persons whom yesterday the honourable member for Pilibhit cum Kumaun called self-styled.

The Hon'ble the President : May I point out once for all that I am not going to make a repetition of the arguments that we have had for the last two days. I think it is not fair to the House that the same old arguments should be trotted out again and again.

Lala Nemi Saran : My reasons for a little repetition are.—

The Hon'ble the President : Whatever the reasons may be. .

Lala Nemi Saran : If there is a little repetition my excuse would be that the two amendments which have been lost, were opposed on certain grounds which have made me rise to oppose this motion. Sir, as I said before, that as one who has got the interests of zamindars at heart I think it would be unfair on the part of this House to pass this legislation without letting all the zamindars know what the measure is about. Yesterday, Sir, it was pointed out that the measure under consideration was wanted by the zamindars who pay about seven crores of revenue and that was one of the reasons why this measure should have some preferential treatment at the hands of the Government and the House. I, Sir, want to inform the house that even a very minor fraction of those zamindars who contribute these seven crores is not only not willing, as they even have no information about this measure, to get it passed at this time. Sir, the motion, as it might be said, is being opposed because the Bill has not been given due publicity. This argument has not been answered and I would again press for a reply to it from the honourable member in charge of the Bill. Why I am referring to these arguments is because the honourable member in charge of the Bill has not condescended to tell us how he is going to refute them. Some of the arguments which have not been refuted stand as an impediment to the motion before the House and therefore when I refer to one or two arguments out of those which have already been advanced, it is to draw the attention of the honourable member in charge of the Bill to enlighten us on that point so that some of us might change our views on that account.

Another thing which I have got to say and on account of which I am handicapped in discussing the Bill is that we have not been furnished with the copies of—

The Hon'ble the President : May I point out to the honourable member that he should adhere to what I have said more than once.

Lala Nemi Saran : I think this point was never raised before now that the copies of the rules and regulations of this association have not been furnished to the members and therefore I say that I am not repeating any argument. I would therefore request the honourable member in charge of the Bill that, before we proceed on with the consideration of the clauses of the Bill, we must at least be given a copy of the rules and regulations of this association about whose contributions we are going to legislate.

Now, I would like to say something by way of appeal. The first appeal that I would make is to the Government. Unfortunately we are in the dark about the attitude of the Government, except that we know that they are constantly voting with the promoters of the Bill. In spite of the fact that some efforts were made from this side of the House to elicit the mind of the Government benches by an authoritative speech from them, it is not forthcoming. The Hon'ble the Finance Member has elected to sit silent. Under these circumstances it is very difficult for us to find out in what relation this Bill stands to the Government. I would, therefore, appeal to the Government that they should at least condescend to come down with a word or two and tell us whether it is a Bill which they have adopted as a Government measure or which they are going to support as one emanating from a member to whom full Government support has already been vouchsafed. Moreover, I would like to know from the Government benches one other thing before we vote on this motion, and it is this. On what principles of law does the Government take its stand in supporting it? Has the Government accepted the principle that it will utilize its machinery which is paid by the provincial exchequer to realize contributions for private organizations which do some good to the people of these provinces? Is the Government prepared to commit itself to this general principle or is the Government silent simply because it does not want to commit itself either way? It might have been made clear to the Government and to the House by now that if is not the last series of measures of this kind which are to be put before this Council. I think it is only the beginning and many such Bills might follow hereafter. An intention was given out by the president of the United Province Zamindars' Association, Muzaffarnagar, to bring a Bill of this sort. Another intention was given out by my friend, Mr. Ganesh Shankar Vidyarthi, to bring in a similar Bill. There might be others too. Therefore I want that the Government in fairness to this House should give an indication of their mind and of the principle on which they take their stand when supporting this legislation in all its stages. Certainly I am perfectly entitled and the House has got a right to know this from the Government benches.

I would make another appeal to the cross benches. The previous two amendments in connexion with this Bill have fortunately or unfortunately been lost. Are they now prepared to use their majority—whether it be thumping or not is a different question—whether they are going to use their majority (which majority I am just reminded has been made up of officials and zamindars) in a way which is without a precedent?

As a member of this Council for the last four years I do not know of any measure which had been carried through this House in such a hurry. Moreover, as the House knows, there were demands made for papers which have been refused. Honourable members who form a

[Lala Nemi Saran.]

majority think that these requests were unreasonable. But would it not be befitting their generosity, which is so much talked about, that they should accept no motion emanating from these benches, but the wishes of this House that the consideration of the Bill be postponed to a future date. If they are not going to do it, the only thing which remains for me who is not against the Bill itself, who wants that this Bill should emanate in proper form, the only thing that remains for such men to do is to vote against it.

It has been said that no useful purpose would be served by postponing consideration of this Bill. I would request them once more to consider.

The Hon'ble the President : I would request the honourable member once more not to repeat the arguments.

Lala Nemi Saran : I am trying not to repeat the arguments.

The Hon'ble the President : The honourable member ought to know that it is entirely out of order to discuss the details of the Bill now.

Lala Nemi Saran : I want to refer to them just to appeal to the cross benches and tell them that now that they have got a majority why they should be afraid of anything. If these appeals fail, I may tell them that if they carry through this motion for taking the Bill into consideration it does not redound to their credit. This Bill has got such fundamental things and treats with such matters which ought to have been known to us many months before. The consideration of the Bill now is opposed by me on the ground that the promoters of the Bill have not thought it fit to accept the requests of the House made in the form of amendments for its postponement. On this ground I oppose the motion.

Chaudhri Dharamvir Singh : The motion before the House is that this Bill be taken into consideration.

The Hon'ble the President : The motion has been before the House since yesterday.

Chaudhri Dharamvir Singh : I think it is now to be considered seriously.

No matter whether it is logical or not, the preamble of the Bill runs thus :—

“Whereas certain contributions for the maintenance and support of the Agra Province Zamindars' Association have hitherto been paid voluntarily by the members of the association, and whereas for the convenience of members and for the advancement of the ends of the association it is expedient that the said contributions should be made compulsory and perpetual and that they should be realized along with land revenue; it is hereby enacted as follows.” What I say is this, that this paragraph is self-contradictory. It means, “for the convenience” of members the subscription is made compulsory. Can convenience and compulsion go together? Can compulsion be convenient to anybody? If it is convenient it is not compulsion. So that there is contradiction in the very preamble of the Bill. Therefore I appeal to the cross-benches, as a matter of fact, to everyone in the House to consider how we can show our faces to the outside world, and to the public if we take into

consideration a thing which is so self-contradictory and so illogical. In the interests of the zamindars themselves, I say it will not be to their credit if it is said anywhere outside this House, in papers or in private talks, that the zamindars, those others who have fathered the Bill, and have taken upon themselves the task of seeing this Bill enacted were such that they could not understand the elementary principle that the words should always be so adjusted in the text that they should not oppose each other, not non-co-operate with each other, but rather help and co-operate with each other. The third word that strikes me is "perpetual". Logically and mathematically we cannot form an idea what perpetual things can be, because we have not got anything in this world which can be called perpetual. When the Moghal Raj was here, when it was sufficiently strong, people thought that it would be perpetual, but we know that the time came when we no longer had the Moghal Raj. So this word "perpetual" is out of place in such a respectable paper as this.

Then I will pass on to another clause. Clause 1 says, "This Act may be called the Agra Province Zamindars' Association Contribution Bill," I do not object to the title.

The Hon'ble the President : It will be news to the House that the honourable member does not object to the title.

Chaudhri Dharamvir Singh : I do not object to the title. Then the next clause says. "The association shall mean the Agra Province Zamindars' Association (A'juman Zamindaran Suba, Agra. Agra Prant Mahipati Mahamandal) registered by that title with the Registrar of Joint Stock Companies." A definition should be brief.

Khan Bahadur Maulvi Fasih-ud-din : On a point of order, Sir. Is the honourable member in order in discussing the provisions of this Bill at this stage ?

The Hon'ble the President : I have been making a mathematical calculation myself.

Chaudhri Dharamvir Singh : I think the definition ought to be brief.

The Hon'ble the President : It will be time when the Bill is taken into consideration.

Chaudhri Dharamvir Singh : But, Sir, I am referring to

The Hon'ble the President : I am not arguing with the honourable member.

Chaudhri Dharamvir Singh : Very well, Sir. Am I to finish my speech ?

The Hon'ble the President : That I do not know.

Chaudhri Dharamvir Singh : What I was saying is that in the definition.

The Hon'ble the President : I think I may say for the benefit of honourable members that according to paragraph 86 of the Manual of Business at this stage the general provisions of the Bill may be discussed, but the details must not be discussed farther than may be necessary to explain the principles. I hope the honourable member and those who may follow him will bear in mind this standing order.

Chaudhri Dharamvir Singh : I take my stand on this ground that the Bill is worthless in so far as it renders liable for the payment of subscriptions not only those who are members at present but also those who may come after them, those who have not yet come into existence in this world. This Bill places a liability on those who are in the womb of the future, I mean, the sons, heirs, successors, assigns, and so on who are yet to be. Sir, to me membership has always appeared to be something voluntary. I do not know if there is such a thing as compulsory membership. In the Bill as it is membership has been imposed on those who may or may not be willing to be members. It imposes membership on those perhaps may not find it easy to agree with the aims of the association. Moreover, Sir, it spreads its wings so far in the domain of time that it cannot be said that when the descendants and heirs, yet far off in the infinite extent of time, come into being, whether the association itself will or will not remain in useful and active existence. Suppose the association stands today for doing a thing which the members of the association may think to be desirable. But in course of time that which is thought to be good and desirable today may become evil tomorrow. And whatever may be in existence in the world today may not remain in existence tomorrow. There is nothing absolute in this world. Every thing is relative to time and conditions. If these latter change, that which is considered today to be advantageous may become a thing of positive disadvantage some years hence. Then, Sir, we all know the nature of the compulsion involved in this Bill. The provision is that the subscription of the zamindars will be realized at the point of the dagger, I mean to say along with the land revenue. We have seen how great is the hardship on the zamindars because of the heartless manner in which land revenue is being collected from them. Here we have some thing in addition. Just when I was coming yesterday from Meerut I met a certain zamindar who will become liable to contribution if this Bill is passed into law. He pays a land revenue of more than Rs. 5,000. He told me that I was his representative in the Council and therefore ought to be able to persuade the Council not to pass such a Bill. He said that it was necessary that their opinion should have been taken before the Bill was proposed to be enacted into law. He told me that I was in duty bound to take carefully in mind his opinion in the matter. On the other hand I had to say to him that the notice has been very short to me, that I myself have not been able to digest all that was contained in the Bill and I thus found myself in a difficulty. This is then, Sir, my opposition to the consideration of the Bill on the ground of the shortness of notice given.

Sir, this Bill throws liability not only on the present generation, but also on generations to come. In sub-clause 4 it is stated that the subscription shall be four annas for every Rs. 100 of land revenue. Now, this is a very large amount.

The Hon'ble the President : That will be a matter of detail.

Chaudhri Dharamvir Singh : Again, compulsion in the very nature of things is very repugnant. If an association wants to thrive, it must prove to the world its usefulness. If it fails to do so, it has no right to live even for a minute. In support of this view of mine I should like to quote the authority of no less a person than Mahatma Gandhi himself. He said, speaking about the Young India and the Navjivan, that if an

appeal had to be made to the public for funds in order to keep the papers going, he would much rather like them to cease than continue in that state. If the papers have to live, they must show their usefulness to the world, if not, they must cease and give place to better ones. Similarly, if the zamindars want to keep alive their association they should not invoke the aid of Government to collect subscriptions for them, but prove to the world the usefulness of their association and thus obtain subscriptions. The Congress is thriving without compulsion of subscriptions, and so is the Kisan Sabha, the Shuddhi Sabha, the Tanzim or Tabligh organization. There seems to be no reason why the Agra Zamindars' Association should count on Government help. God helps those who help themselves. Let my zamindar friends pin their faith on this maxim. A friend of mine just reminds me that Government helps those who do not help themselves. It is true, such help, even if volunteered, is very revolting to the self-respect of any organization, and consequently the Bill under consideration, which involves such help, should be torn into pieces and thrown in to the waste-paper basket.

Further, if the present Bill is taken into consideration, it will stimulate requests from other organizations for similar help from the Government. However worthless and harmful they may be, they will perhaps be quite justified in asking for a similar concession from the Government. If every organization, A, B, C, D, or X, Y, Z comes here and asks the Council to help it in this way...

Khan Bahadur Saiyid Jafer Hosain : Is the honourable member not repeating the arguments ?

Chaudhri Dharamvir Singh : It is most objectionable to realize contributions in this manner. There is a great similarity between this Bill which I think will be passed and become an Act and the Rowlatt Act. The Rowlatt Act was to cut the throats of the people and this Act will cut the pockets of the people. When this Bill was first sent to me I thought it was sent in joke and that the Secretary of the Legislative Council was not in earnest. I now find, to my surprise, that it has been taken up seriously for consideration by this House. I have shown sufficiently the hollowness of the proposal that such sort of rubbish literature should be at all taken into consideration.

At this stage a motion for the closure of the debate was moved by several honourable members.

The question, that the question be now put was put and the House divided as below :—

Ayes, 49 ; Noes, 33.

Ayes.

Abdullah, Shaikh.
Abdul Bari Mr. Muhammad.
Abdul Qayum, Haji.
Abdus Sami Khan, Lieut., Khan Bahadur
Nawabzada.
Abhainadan Prasad, Rai Bahadur Baba.
Ahmad Sa'id Khan, The Hon'ble Lieut.
Nawab Muhammad
Ahmad Shph, Mr. E.
Badre Alam, Khan Bahadur Shah.
Baird, Colonel, R. F.
Bihari Lal, Rai Bahadur Lal

Bikram Singh, Thakur.
Blunt, Mr. E. A. H.
Channe, Mr. F. F. R.
Clarke, Mr. G.
Darwin, Mr. J. H.
Desanges, Mr. H. O.
Dodd, Mr. R. J. S.
Elliott, Sir Ivo.
Fasih-ud-din, Khan Bahadur Maulvi.
Habib-ullah, Maulvi Saiyid.
Hayat Husain, Khan Bahadur Hafiz.
Hukum Singh, Thakur.

Ayes.

Jagannath Prasad, Rai Bahadur Chaudhri.
 Jagdish Prasad, Kunwar.
 Jamshed Ali Khan, Lieut. Nawab Muhammad.
 Kushal Pal Singh, Raja.
 Lane, Mr. H. A.
 Liaquat Ali Khan, Nawabzada Muhammad.
 Mackenzie, Mr. A. H.
 Mahbub Ali Khan, Khan Bahadur Hakim.
 Mahjit Singh, Mahra, Kumar Major.
 Masud-ul-Hasan, Khan Bahadur Mr.
 McNair, Mr. A. W.
 Mohan Lal, Rai Bahadur Babu.
 Muhammad Sajjad Ali Khan, Mirza.
 Muhammad Yusuf, The Hon'ble Nawab.

Norton, Mr. E. L.
 Obaid-ur-Rahman Khan, Maulvi Muhammad.
 O'Donnell, The Hon'ble Sir Sam.
 Panna Lal, Mr.
 Rajendra Singh, The Hon'ble Thakur.
 Rajeshwar Bali, The Hon'ble Rai.
 Saiyid Muhammad alias Maiku Mian.
 Khan Bahadur.
 Shafa'at Ahmad Khan, Dr.
 Shyam Lal, Babu.
 Sri Krishna Dutt Dube, Raja.
 Surendra Pratap Sahi, Kunwar.
 Yorke, Mr. R. L.
 Zia-ul-Haq, Khan Bahadur Shaikh.

Noes.

Badri Dutt Pande, Pandit.
 Bhagwat Narayan Bhargava, Pandit.
 Bhagwati Sahai Bedar, Babu.
 Bisheshwar Dayal Seth, Kunwar.
 Brijnandan Prasad Misra, Pandit.
 Chintamani, Mr. C. Y.
 Devata Prasad, Pandit.
 Dharamvir Singh, Chaudhri.
 Dube, Mr. A. P.
 Govind Ballabh Pant, Pandit.
 Gulab Singh, Thakur.
 Gurtu, Iqbal Narayan, Pandit.
 Hanuman Singh, Rai Bahadur Thakur.
 Har Prasad Singh, Thakur.
 Jagannath Laksh Singh, Raja.
 Jagdish Prasad, Rai Bahadur Lala.
 Kali Charan Misra, Lieut. Raja.

Kavendra Narayan Singh, Babu.
 Krishna Pal Singh, Rao.
 Manak Singh, Thakur.
 Mangat Singh, Chaudhri.
 Manjit Singh Rathur, Thakur.
 Mathura Prasad Mehrotra, Rai Bahadur Lala.
 Mukandi Lal, Mr.
 Mul Chandi Dube, Pandit.
 Nanak Chand, Pandit.
 Nami Saran, Lala.
 Rahas Libari Tiwari, Pandit.
 Sahho Singh, Thakur.
 Sankta Prasad Bajpai, Rai Bahadur Pandit.
 Shiva Shankar Singh, Thakur.
 Uma Shankar, Babu.
 Vijai Pal Singh, Chaudhri.

The Hon'ble the President : The House having adopted the motion for closure, I proceed now to put the original motion before the House, viz. that the Agra Province Zamindars' Association Contribution Bill be taken into consideration.

The motion was put and the House divided as below:—

Ayes, 53 ; Noes, 33.

Ayes.

Abdullah, Shaikh.
 Abdul Bari, Mr. Muhammad.
 Abdul Qayum, Haji.
 Abdus Sami Khan, Lieut., Khan Bahadur Nawabzada.
 Abhinandan Prasad, Rai Bahadur Babu.
 Ahmad Sa'id Khan, The Hon'ble Lieut. Nawab Muhammad.
 Ahmad Shah, Mr. E.
 Badre Alam Khan, Bahadur Shah.
 Baird, Colonel R. F.
 Bihari Lal, Rai Bahadur Lala.
 Bikram Singh, Thakur.
 Bisheshwar Dayal Seth Kunwar.
 Blunt, Mr. E. A. H.
 Channer, Mr. F. F. R.
 Clarke, Mr. G.
 Darwin, Mr. J. H.
 Desanges, Mr. H. O.
 Dodd, Mr. R. J. S.
 Elliott, Sir Ivo.
 Fashi-ud-din, Khan Bahadur Maulvi.
 Habib-ullah, Maulvi Saiyid.

Hanumat Prasad Singh, Bhaya.
 Hidayat Hussain, Khan Bahadur Hafiz.
 Hukum Singh, Thakur.
 Jafar Hosain, Khan Bahadur Saiyid.
 Jagannath Prasad, Rai Bahadur Chaudhri.
 Jagdish Prasad, Kunwar.
 Jamshed Ali Khan Lieut. Nawab Muhammad.
 Kishori Prasad, Babu.
 Kushal Pal Singh, Raja.
 Liaquat Ali Khan, Nawabzada Muhammad.
 Mackenzie, Mr. A. H.
 Mahbub Ali Khan, Khan Bahadur Hakim.
 Mahjit Singh, Maharaj Kumar Major.
 Masud-ul-Hasan, Khan Bahadur Mr.
 McNair, Mr. A. W.
 Mohan Lal, Rai Bahadur Babu.
 Muhammad Habib, Mr.
 Muhammad Sajjad Ali, Mirza.
 Muhammad Yusuf, The Hon'ble Nawab.
 Norton, Mr. E. L.
 Obaid-ur-Rahman Khan, Maulvi Muhammad.

Ayes.

<p>O'Donnell, The Hon'ble Sir Sam. Panna Lal, Mr. Rajendra Singh, The Hon'ble Thakur. Rajeshwar Bali, The Hon'ble Rai. Saiyid, Muhammad <i>alias</i> Maiku Mian, Khan Bahadur.</p>	<p>Shafa'at Ahmad Khan, Dr Shyam Lal, Babu. Sri Krishna Dutt Dube, Raja. Surendra Pratap Sahi, Kunwar. Yorke, Mr. R. L. Zia-ul-Haq, Khhan Bahadur Shaikh.</p>
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Noes.

<p>Badan Singh, Chaudhri. Badri Dutt Pande, Pandit. Bhagwat Narayan Bhargave, Pandit. Bhagwati Sahai Bedar, Babu. Brijnandan Prasad Misra, Pandit. Chintamani, Mr. C. Y. Devata Prasad, Pandit Dharamvir Singh, Chaudhri. Dube, Mr. A. P. Ganga Prasad Roy, Babu. Govind Ballabh Pant, Pandit. Gulab Singh, Thakur. Gurtu, Iqbal Narayan, Pandit. Hanuman Singh, Rai Bahadur Thakur. Har Prasad Singh, Thakur. Jagannath Bakhsh Singh, Raja. Jagdish Prasad, Rai Bahadur Lala.</p>	<p>Kavendra Narayan Singh, Babu. Krishna Pal Singh, Rao. Manak Singh, Thakur. Mangat Singh, Chaudhri. Manjit Singh Rathor, Thakur. Mathura Prasad Mehrotra, Rai Bahadur Lala. Mukandi Lal, Mr. Mulchand Dube, Pandit. Nanak Chand, Pandit. Nemi Saran, Lala. Rahas Bihari Tiwari, Pandit. Sudho Singh, Thakur. Sankata Prasad Bajpai, Rai Bahadur Pandit. Shiva Shankar Singh, Thakur. Uma Shankar, Babu. Vijai Pal Singh, Chaudhri.</p>
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The Hon'ble the President : It is now 3.35, and it has been represented to me on behalf of all the groups in this House that it would be convenient if the House adjourns at this stage. I adjourn the Council till tomorrow.

APPENDIX A.

(See page 287 *supra*.)

STATEMENT.

Designation and year of revision.	Grade.	From—	To—
		Rs.	Rs.
Tahsildars in 1920 ..	Special selection grade..	300	360
	1st grade	250	300
	2nd „	200	240
	3rd „	175	210
	4th „	150	190
Naib-tahsildars in 1920 ..	1st grade	100	150
	2nd „	80	130
	3rd „	70	115
	4th „	60	100

APPENDIX B.

(See page 288 *supra*.)

STATEMENT.

	Year.	Number of candidates sent up.		Number of candidates approved.	
		Muslims.	Non-Muslims.	Muslims.	Non-Muslims.
Deputy collectorship ..	1923	26	21	3	4
	1924	23	24	4	4
	1925	25	17	4	5
	1926	6	4	1	1
	1927	10	8	1	3
Tahsildarship	1923	20	31	5	7
	1924	22	26	3	5
	1925	20	18	4	6
	1926	23	27	3	5
	1927	22	24	3	5

APPENDIX C.

(See page 288 supra.)

For answer to starred question no. 144 to be asked on December 20, 1927 by SAIYID TUFAIL AHMAD SAHIB.

No. 61G.

EDUCATION DEPARTMENT.

January 20, 1927.

RESOLUTION.

For some time past, the Governor, acting with his Ministers, has been considering by what means the vernacular literature of these provinces can best be fostered and developed. The Legislative Council also has shown its interest in the matter. On December 23, 1925, it adopted a resolution urging the establishment of a bureau for translating into the vernacular useful books in modern science and other branches of knowledge. The matter was again raised in the Council on April 7, 1926, when a resolution recommending the establishment of a Hindustani Academy was discussed.

2. As a result of their deliberations, Government have now decided to establish a Hindustani Academy in these provinces with a view to stimulate the development of Urdu and Hindi literature. The Academy will itself determine the methods by which it will pursue this object. The Governor, acting with his Ministers, however, suggests the following as some of the means by which success may be attained :—

- (1) The award of prizes (by a system of competition) for the production of the best books on particular subjects.
- (2) The translation of books into Urdu and Hindi by paid translators, and the publication of the translation by the Academy.
- (3) The encouragement of the production of original works or translations in Hindi and Urdu, whether by grants to universities and literary associations, or otherwise.
- (4) The election of eminent writers to Fellowship of the Academy.

3. The Academy, which will be registered as a society under Act XXI of 1860 under articles of association approved by Government, will consist, in the first instance, of (1) a Council and (2) an Executive Committee and ultimately (3) of Fellows to be elected to the Academy by the Council. The Council will be concerned with general questions of policy. It will consist of a President, six *ex officio* members, and thirty members (including a General Secretary), nominated by Government. The Council will, however, have power to co-opt six additional members. The Council will meet ordinarily twice a year at times and places to be fixed by the President.

4. The Executive Committee will consist of a Chairman, a Secretary and Treasurer and seven other members who will be nominated by Government. Its duties will be to give effect to the decisions of the Council on matters of policy and otherwise to arrange for the carrying

on of the work of the Academy. The Executive Committee will meet as often as and where the Chairman may direct. It may form sub-committees for the different branches of its work : on these it may co-opt persons, who need not be members of the Council, to assist it. The President of the Council will be *ex officio* Chairman of the Executive Committee, and the General Secretary its *ex officio* Secretary and Treasurer.

5. Government will place at the disposal of the Academy a grant of Rs. 25,000 which has been voted for the purpose by the Legislative Council and will be paid on conditions to be laid down by Government.

6. The Governor, acting with his Ministers, has been pleased to appoint Sir Tej Bahadur Sapru, K.C.S.I. to be President, Dr. Tara Chand to be General Secretary, and the following persons to be the first members of the Council of the Hindustani Academy :—

Ex officio Members.

1. The Hon.'ble Minister of Education, United Provinces.
2. The Director of Public Instruction, United Provinces.
3. The Vice-Chancellor, Allahabad University.
4. The Vice-Chancellor, Lucknow University.
5. The Vice-Chancellor, Benares Hindu University.
6. The Vice-Chancellor, Aligarh Muslim University.

Members :

1. Masood Husan Rizvi Sahib, Reader, Urdu department, Lucknow University.
2. Dr. Tara Chand Sahib, M.A., D.PHIL., Principal, Kayastha Pathshala College, Allahabad.
3. Babu Ajodhya Singh Sahib, Reader, Benares Hindu University.
4. Pandit Shiva Adhar Pande, M.A., LL.B., M.B.A.S., Reader, Allahabad University.
5. Sir Abdur Rauf, Kt., Retired Judge, Punjab High Court, Allahabad.
6. Babu Dhanpat Rai Sahib, B.A. alias "Prem Chand," Benares.
7. Dr. Ram Prasad Tripathi, M.A., M.B.A.S., History department, Allahabad University.
8. Dr. Beni Prasad, M.A., Reader, History department, Allahabad University.
9. A. B. Dhruva, Esq., M.A., LL.B., Pro-Vice-Chancellor, Benares Hindu University.
10. Syed Zamin Ali, Esq., M.A., Lecturer, Urdu department, Allahabad University.
11. B. Ram Babu Saksena Sahib, M.A., LL.B., Deputy Collector, Bareilly.
12. Munshi Daya Narain Nigam Sahib, editor, "Zamana," Cawnpore.

13. Syed Sajjad Haidar Sahib, Aligarh University, Aligarh.
14. Pandit Manohar Lal Zutshi Sahib, M.A., I.E.S., Principal, Jubilee Intermediate College, Lucknow.
15. M. Mehdi Hasan Nasiri Sahib, U.P.E.S., Headmaster, Government High School, Bara Banki.
16. Maulvi Abdul Majid Sahib, Daryabad, district Bara Banki.
17. Dharendra Varma, Esq., M.A., Allahabad University, Allahabad.
18. Pandit Badrinath Bhatt Sahib, Lucknow University, Lucknow.
19. B. Jagan Nath Das Ratnakar, Rajsadan, Ajodhiya.
20. Pandit Shri Dhar Patak Sahib, Allahabad.
21. Hon'ble Pandit Shyam Bihari Misra, Registrar, Co-operative Societies, United Provinces.
22. Pandit Ram Narayan Misra Sahib, Headmaster, Central Hindu High School, Benares.
23. Lala Sita Ram Sahib, retired Deputy Collector, Allahabad.
24. Maulvi Niaz Muhammad Khan Sahib, Fatehpur.
25. Mirza Muhammad Askari Sahib, Hakim Abdul Aziz Road, Lucknow.
26. Maulana Syed Aley Naqi Sahab alias Maulana Safi, Maulviganj, Lucknow.
27. Rai Sahib B. Shyam Sundar Das, Nagri Pracharini Sabha, Benares.
28. Muhammad Naimur Rahman, Esq., Lecturer, Arabic and Persian department, Allahabad University.
29. Maulvi Noor-ul Hasan Naggar, B.A., LL.B., Honorary Assistant Collector, Kakori, district Lucknow.
30. Professor Rashid Ahmad Siddiqi, Aligarh Muslim University.

The above appointments are made for a period of three years.

The names of the persons who will constitute the first Executive Committee of the Academy will shortly be announced.

ORDER.—Ordered that a copy of the resolution be forwarded to the President of the Council for information.

Ordered also that the resolution be published in the *United Provinces Government Gazette*, for general information.

By order of the Governor acting with his Ministers,

JAGDISH PRASAD,

Secretary to Government,

United Provinces.

APPENDIX D.

(See page 301 *supra*.)

*Statement referred to in answer to starred questions nos. 174 and 175
for December 20, 1927.*

A.—NOT DISQUALIFIED.

1. Satyadeo Narain Sahi.
2. Lieut. Raja Imtiaz Rasul Khan.
3. Raf Bahadur Lala Bihari Lal.
4. Kunwar Bihari Lal Mathur.
5. Ram Dass Kisan.
6. Chaudhri Ram Singh Yadav.
7. Sardar Narain Singh Bahadur.
8. Pandit Ram Prasad Misra.
9. Sheikh Muhammad.
10. Kunwar Bhupal Singh.
11. Pandit Sarup Narain Bakhshi.
12. Pandit Bishambhar Dayal.

B.—DISQUALIFIED.

13. Mr. J. H. Abbott.
14. M. Bashir Ahmad.
15. Chunni Lal Vaish.
16. Hamid Husain.
17. Muhammad Safdar Khan.
18. Harbans Prasad Pathak.
19. Thakur Todar Singh.
20. Dr. Hari Har Nath Hukku.

APPENDIX E.

(See page 302 *supra*.)

*Statement referred to in answer to starred questions nos. 177, 178 and
179 for December 20, 1927.*

Election petitions.

1921.

<i>Names of parties.</i>	<i>Results.</i>
(1) Rai Bahadur Chandhri Amar Singh, O.B.E. versus Pandit Nanak Chand.	Election declared valid.
(2) Lala Chimman Lal versus Lala Shadi Lal.	Ditto.
(3) Raja Harpal Singh versus Pandit Krishna Kant Malaviya.	Election declared void.
(4) Gauri Shanker Prasad versus Thakur Hanuman Singh.	Ditto.

*Names of parties.**Results.*

- (5) Mr. Shakir Ali, Bar-at-Law versus Election declared void.
Munshi Abdul Hakim.

1923.

- (1) Thakur Shib Narayan Singh versus Tha- Election declared void.
kur Lakehmi Raj Singh.

1924.*General election.*

- (1) Muhammad Abdul Wahab versus Obaid- Election declared void.
ur-Rahman Khan.
- (2) Thakur Udayavir Singh versus Kunwar Ditto.
Raj Kumar Singh.
- (3) Babu Chhail Bihari Capoor versus Tha- Ditto.
kur Moti Singh.
- (4) Pandit Ganga Datt Pande versus Pandit Withdrawn.
Govind Ballabh Pant.
- (5) Thakur Nawab Ali Khan versus Qazi Election declared valid.
Habib Ashraf.
- (6) Babu Ram Sarup versus Kunwar Dhakan Election declared void.
Lal.
- (7) Thakur Manuk Singh versus Lala Babu Election declared valid.
Lal.
- (8) Kunwar Hukum Singh versus Rai Baha- Ditto.
dur Babu Ram Nath Bhargava.
- (9) Sheikh Ghulam Husain versus M. Abdul Dismissed by His Ex-
Hakim. cellency the Governor
under rule 36, United
Provinces Electoral
Rules.
- (10) Qazi Anwar-ul-Haqq versus Khan Ditto.
Bahadur Shah Badre Alam.
- (11) Mr. Prem Nath Das versus Pandit Raja- Ditto.
ramjee.

Bye-elections.

- (12) Muzaffar Ali Khan versus Nawabzada Election declared valid.
Aijaz Ali Khan.
- (13) Lala Nanhe Mal versus Chaudhri Jai Ditto.
Narain.
- (14) Lala Budhi Mal versus Seth Achal Singh Election declared void.
- (15) Babu Lal versus Seth Achal Singh ... Dismissed by His Excel-
lency the Governor
under rule 36, United
Provinces Electoral
Rules.

*Names of parties.**Results.***1926-27.**

- | | |
|--|---|
| (1) Thakur Gulab Singh versus Rai Bahadur Pandit Kharagjit Singh Misra. | Election declared void. |
| (2) Babu Lal <i>alias</i> Har Prasad versus Babu Prag Narain. | Ditto |
| (3) Babu Chhail Bihari Capoor versus Rai Bahadur Sahu Shiam Sunder Lal. | Ditto. |
| (4) Rai Bahadur Babu Saroop Narain versus Lieut. Raja Durga Narain Singh of Tirwa. | Ditto. |
| (5) Mahant Hari Charan Das versus Kunwar Surendra Pratap Sahi. | Ditto. |
| (6) Master Bishambhar Dayal versus Rai Sahib Lala Jagdish Prasad. | Withdrawn. |
| (7) M. Chokhey Lal versus Rai Sahib Kunwar Sardar Singh. | Ditto. |
| (8) Mr. P. N. Dass versus Pandit Sadayatan Pandey. | Ditto. |
| (9) Babu Ram Chandra versus Pandit Rahas Bihari Ghose. | Ditto. |
| (10) Khan Bahadur Saiyid Ashiq Husain versus Khan Bahadur Saiyid Jafar Husain. | Ditto. |
| (11) Thakur Udayavir Singh versus Chaudhri Dharamvir Singh. | Ditto. |
| (12) Ram Charan Agrawal versus Rao Udaivir Singh. | Ditto. |
| (13) Maharaja of Nabha versus Thakur Manjit Singh Rathor. | Dismissed by His Excellency the Governor under rule 36 of the United Provinces Electoral Rules. |
| (14) Pandit Ganga Datt Pande versus Pandit Badri Datt Pande. | Election declared valid. |
| (15) Seth Dwarka Nath versus Chaudhri Jagannath Prasad. | Ditto. |
| (16) Nawabzada Muhammad Aijaz Ali Khan versus Nawabzada Muhammad Liaqat Ali Khan. | Ditto. |
| (17) Saiyid Zahur Ahmad versus Haji Abdul Qayum. | Ditto. |

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Wednesday, December 21, 1927.

THE Council met in the Council House, Lucknow, at 11 a.m. The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT (97) :

The Hon'ble Sir Sam O'Donnell.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
The Hon'ble Nawab Muhammad Yusuf.
Kunwar Jagdish Prasad.
Mr. E. A. H. Blunt.
Mr. Panna Lal.
Sir Ivo Elliott.
Mr. J. H. Darwin.
Mr. H. A. Lano.
Mr. R. L. Yorke.
Mr. A. W. Pim.
Mr. A. W. McNair.
Khan Bahadur Chaudhri Wajid Hussain.
Mr. E. L. Norton.
Mr. F. F. R. Channer.
Mr. R. J. S. Dodd.
Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Mirza Muhammad Saijad Ali Khan.
Khan Bahadur Mr. Masud-ul-Hasan.
Mr. H. C. Desanges.
Mr. E. Ahmad Shah.
Babu Rama Charana.
Mr. A. P. Dube.
Pandit Rahas Bihari Tiwari.
Babu Chhail Bihari Capoor.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Rai Bahadur Lala Jagdish Prasad.
Chaudhri Vijai Pal Singh.
Chaudhri Dharamvir Singh.
Pandit Nanak Chand.
Thakur Manak Singh.
Thakur Pratap Bhan Singh.
Thakur Bikram Singh.
Thakur Hukum Singh.
Raja Kushal Pal Singh.
Thakur Gulab Singh.
Lieut. Raja Kali Charan Misra.
Lala Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Thakur Har Prasad Singh.
Babu Kishori Prasad.
Pandit Mulchand Dube.
Pandit Devata Prasad.
Babu Ghyam Lal.
Babu Uma Shankar.

Pandit Venkatesh Narayan Tivary.
Babu Kavendra Narayan Singh.
Pandit Shri Sadayatan Pande.
Raja Sri Krishna Dutt Dube.
Thakur Shiva Shankar Singh.
Rai Bahadur Thakur Hanuman Singh.
Rai Bahadur Babu Abhainandan Prasad.
Raja Indrajit Pratap Bahadur Sahi.
Bhaya Hanumat Prasad Singh.
Pandit Govind Ballabh Pant.
Pandit Badri Dutt Pande.
Mr. Mukandi Lal.
Sirdar Nihal Singh.
Rai Bahadur Chaudhri Jagannath Prasad.
Rai Bahadur Pandit Sankata Prasad Bajpai.
Raja Raghuraj Singh.
Kunwar Surendra Pratap Sahi.
Mr. C. Y. Chintamani.
Haji Abdul Qayum.
Mr. Muhammad Abdul Bari.
Maulvi Zahur ud-din.
Khan Bahadur Shaikh Zia-ul-Haq.
Lieut. Nawab Muhammad Jamshed Ali Khan.
Nawabzada Muhammad Liaqat Ali Khan.
Hafiz Muhammad Ibrahim.
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.
Maulvi Muhammad Obaid-ur-Rahman Khan.
Khan Bahadur Hafiz Hidayat Hussain.
Maulvi Saiyid Habib-ullah.
Khan Bahadur Shah Badre Alam.
Shaikh Ghulam Hosain.
Khan Bahadur Saiyid Jafer Hosain.
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.
Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.
Khan Bahadur Hakim Mahbub Ali Khan.
Khan Bahadur Maulvi Fasih-ud-din.
Khwaja Khalil Ahmad Shah.
Raja Saiyid Ahmad Ali Khan Alvi.
Chaudhri Niamat-ullah.
Mr. Muhammad Habib.
Rai Bahadur Lala Mathura Prasad Mehrotra.
Raja Shambhu Dayal.
Kunwar Bisheshwar Dayal Seth.
Raja Jagannath Baksh Singh.
Mr. J. P. Srivastava.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

COMMISSION TO INQUIRE INTO THE RECENT GARHMUK-
TESHWAR TROUBLE.

* 1. **Lieut. Nawab Muhammad Jamshed Ali Khan** : Will the Government consider the advisability of appointing an independent inquiry commission to investigate the origin of the recent Garhmukteshwar trouble?

The Hon'ble Sir Sam O'Donnell : The answer is in the negative.

Mr. Mukandi Lal : Will the Government give reasons why the answer is in the negative?

The Hon'ble Sir Sam O'Donnell : Because we see no necessity having another inquiry.

Mr. Mukandi Lal : Did Government make any inquiry into the matter?

The Hon'ble Sir Sam O'Donnell : The riot was of course inquired into by the police.

MUSLIM DISTRICT JUDGES.

* 2. **Khan Bahadur Hafiz Hidayat Husain** : Will the Government be pleased to state the number of Provincial Service district judges serving in these provinces? How many of these are Muslims? Why is the number of Muslims so low?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (1) Seven.

(2) None.

(3) Promotions to the post of district judge are not made on communal grounds.

REPORT ON FEMALE EDUCATION.

* 3. **Khan Bahadur Hafiz Hidayat Husain** : Has the committee appointed by the Government to report on female education submitted its report? What is the summary of its recommendations? When do Government propose to publish the report and what action have the Government taken so far on the report?

The Hon'ble Rai Rajeshwar Bali : The honourable member is referred to the answers given to questions Nos. 122 to 125 for December 19, 1927, asked by Babu Shyam Lal Sahib.

Mr. C. Y. Chintamani : Has the report been published for general information?

The Hon'ble Rai Rajeshwar Bali : In the gazette,

Mr. C. Y. Chintamani : Either in the gazette or in the newspapers?

The Hon'ble Rai Rajeshwar Bali : Not yet.

Mr. C. Y. Chintamani : Is it intended to do so?

The Hon'ble Rai Rajeshwar Bali : Yes.

* 4 to 9. **Mr. Mukandi Lal** : [*Postponed at the request of Government till the first day of the next meeting.*]

BHIKAN RAM OF GURAN, AN HONORARY MAGISTRATE.

* 10. **Khan Bahadur Maulvi Fasih-ud-din** : Is it a fact that one Bhikam Ram of Guran was appointed an honorary magistrate two years ago?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No. Pandit Bhikam Ram has been with one brief interval an honorary magistrate since 1913.

* 11. **Khan Bahadur Maulvi Fasih-ud-din** : Is it a fact that he is 60 years old? What are his educational and social qualifications?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : His age is about 56 years. He is well versed in Urdu and Hindi and is a member of a family of very good standing in the district.

Mr. Mukandi Lal : Will the Government give reasons why Pandit Bhikam Ram was suspended for two years?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : If the honourable member will read the answer carefully he will find that Government never said that he was suspended for two years.

Mr. Mukandi Lal : Was it because that he was incompetent that he was suspended for two years?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not think that it arises out of the answer that I gave.

HONORARY MAGISTRATES.

* 12. **Khan Bahadur Maulvi Fasih-ud-din** : Will the Government be pleased to supply the following information about the honorary magistrates in these provinces :—

(a) Total number of honorary magistrates?

(b) Number of those who have passed any law examination?

(c) Number of those who are illiterate?

(d) Number of those who have passed the age of 60 years?

(e) Number of those who hold their courts outside their jurisdiction?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) and (d) The honourable member is referred to the United Provinces Quarterly Civil List.

(b) No information is available. Government do not consider that the value of the information if collected would be at all commensurate with the labour and expense involved in collecting it.

(c) There are no honorary magistrates in the province now working who are illiterate.

(e) Government have no information, nor do they think that the value of the information would be commensurate with the labour and time that would be required in collecting it. However, if any specific case of convenience to the public is brought to their notice, Government will be in glad to inquire into it.

Pandit Badri Dutt Pande : Does Government know that there is one honorary magistrate in Almora who is illiterate?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No. We have no such information.

Pandit Badri Dutt Pande : Will the Government care to inquire?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We have inquired and found that the honorary magistrate who is working there is literate. There may be an honorary magistrate for life without doing any work.

Pandit Bhagwat Narayan Bhargava : May I know what the Government means by the word "illiterate"? Does it mean not knowing Hindi or Urdu or something else?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think the word illiterate means "ghair talim yafta."

STOPPAGE OF E. I. RAILWAY MAIL TRAINS AT TILHAR.

* 13. **Khan Bahadur Maulvi Fasih-ud-din :** Is the Government aware that the residents of Tilhar tahsil in the Shahjahanpur district are put to much inconvenience by cancellation of the stoppage of the Up and Down Mail trains of the East Indian Railway at Tilhar and by the absence of other convenient trains between Tilhar and Shahjahanpur?

The Hon'ble Sir Sam O'Donnell : Mail trains are intended for long distance passengers and not for local traffic. 3 Up and 4 Down trains still stop at Tilhar daily.

MUSLIM EMPLOYEES OF DISTRICT BOARD, NAINI TAL.

* 14. **Khan Bahadur Maulvi Fasih-ud-din :** What is the number of Muslim employees in the office of the district board at Naini Tal?

The Hon'ble Nawab Muhammad Yusuf : There are none.

* 15 and 16. **Khan Bahadur Maulvi Fasih-ud-din :** [*Postponed at the request of Government till the first day of the next meeting.*]

RAISING HALDWANI NOTIFIED AREA TO A MUNICIPALITY.

* 17. **Khan Bahadur Maulvi Fasih-ud-din :** What steps has the Government taken in connexion with the application of some of the Haldwani residents for promoting Haldwani town to the status of a municipality?

The Hon'ble Nawab Muhammad Yusuf : No application for raising Haldwani notified area to the status of a municipality has been received by Government.

* 18 to 24. **Khan Bahadur Maulvi Fasih-ud-din :** [*Postponed at the request of Government till the first day of the next meeting.*]

SEPARATE ELECTORATE SYSTEM IN HARDWAR UNION.

* 25. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to state why separate electorate system with fixed seats for Muslims is not introduced in Hardwar Union, while it is in vogue all over the province?

* 26. **Khan Bahadur Maulvi Fasih-ud-din** : What are the reasons for exempting Hardwar Union municipality from the operations of the system of separate representation of Muslims with fixed seats ?

The Hon'ble Nawab Muhammad Yusuf : The Hardwar Board made a unanimous application that the rules which the Government may make under section 11 of the Municipalities Act should not be applied to the Hardwar Union, but that the board should remain constituted as it was before the Municipalities Act of 1916. Government accepted their request. This is not the only board without separate representation. No provision has been made for this in Brindaban or Mussoorie.

TECHNOLOGICAL INSTITUTE, CAWNPORE.

* 27. **Khan Bahadur Hafiz Hidayat Husain** : (a) Will the Government be pleased to state if the Technological Institute at Cawnpore requires a head for its Sugar department ?

(b) If the answer is in the affirmative, when was the post created and how long has it been in abeyance ?

(c) How long has the Sugar department of the Technological Institute been in existence and what arrangements have in the meanwhile been made for imparting instruction to students in this department ?

The Hon'ble Rai Rajeshwar Bali (for the HON'BLE THAKUR RAJENDRA SINGH) : (a) Yes.

(b) Provision for the appointment was made from July 16, 1927. Since then endeavours have been made to recruit a suitable occupant for the post ?

(c) Since July 16, 1926. The first-year students in all departments receive the same general training. One second-year student has received special instruction from a member of the staff who has had some practical experience of sugar and distillery work.

Mr. C. Y. Chintamani : What is the nature of the endeavours that have been made since July, 1927, to find a suitable candidate for the post ?

The Hon'ble Rai Rajeshwar Bali : The post was advertised.

Mr. C. Y. Chintamani : Have applications received in answer to the advertisement been considered by the Government or by a Selection Committee ?

The Hon'ble Rai Rajeshwar Bali : Yes. The applications received in answer to advertisement were considered by the Selection Committee and also by the Government, but no suitable candidate could be found.

Mr. C. Y. Chintamani : With reference to the answer to clause (c) of 27, have any of the students either of the first year or of the second year suffered from the absence of the sugar expert for whom efforts are being made ?

The Hon'ble Rai Rajeshwar Bali : I am informed not in the first year.

Khan Bahadur Hafiz Hidayat Husain : Did the Selection Committee make any recommendations ?

The Hon'ble Rai Rajeshwar Bali : I am unable to answer this question as the recommendations of this committee are confidential.

Khan Bahadur Hafiz Hidayat Husain : Why was the post advertised for a second time ?

The Hon'ble Rai Rajeshwar Bali : I have already said that the Government did not find a suitable candidate.

Khan Bahadur Hafiz Hidayat Husain : Did the candidate who applied in answer to the first advertisement possess all the qualifications that are needed for the appointment of the sugar expert ?

The Hon'ble Rai Rajeshwar Bali : I am not aware of that.

Maulvi Muhammad Obaid ur-Rahman Khan : Was this post advertised in India only ?

The Hon'ble Rai Rajeshwar Bali : I am informed the post was advertised in India only.

Maulvi Muhammad Obaid-ur-Rahman Khan : Why no man was recruited from abroad when a suitable candidate could not be found in this country for the post ?

The Hon'ble Rai Rajeshwar Bali : I am afraid I am not in a position to give a reply to this question.

Maulvi Muhammad Obaid-ur-Rahman Khan : Will the Government now try to recruit a suitable candidate from abroad ?

The Hon'ble Rai Rajeshwar Bali : I am informed that the post has been advertised again and I am sure that if no suitable candidate is available efforts will be made to secure one from abroad.

Maulvi Muhammad Obaid-ur-Rahman Khan : What does the Government think as to when this post will be filled up ?

The Hon'ble Rai Rajeshwar Bali : I cannot say.

Maulvi Muhammad Obaid-ur-Rahman Khan : Does the Government think that it will be filled up in the year 1928 ?

The Hon'ble Rai Rajeshwar Bali : That I cannot say.

Khan Bahadur Hafiz Hidayat Husain : Are Government aware that the second advertisement requires much lesser qualifications than the first ?

The Hon'ble Rai Rajeshwar Bali : I confess I have not seen either of the advertisements

* 28. **Khan Bahadur Hafiz Hidayat Husain :** What is the tutorial strength of the Technological Institute, Cawnpore ? How many of these are Muslims ?

The Hon'ble Rai Rajeshwar ali' (for the HON'BLE THAKUR RAJENDRA SINGH). The honourable member is referred to the current Civil List.

GAZETTED STAFF OF THE INDUSTRIES DEPARTMENT.

* 29. **Khan Bahadur Hafiz Hidayat Husain :** What is the total strength of the gazetted staff of the department of Industries ? How many of these are Muslims ?

The Hon'ble Rai Rajeshwar Bali (for the HON'BLE THAKUR RAJENDRA SINGH): The honourable member is referred to the current Civil List.

* 30 to 37. **Khan Bahadur Hafiz Hidayat Husain :** [*Postponed at the request of Government till the first day of the next meeting.*]

* 38 to 43. **Rai Bahadur Babu Vikramajit Singh**: [*Postponed at the request of Government till the first day of the next meeting.*]

HONORARY ASSISTANT COLLECTORS AND MAGISTRATES.

* 44. **Rai Bahadur Babu Vikramajit Singh** (*asked by PANDIT BHAGWAT NARAYAN BHARGAVA in the absence of the questioner*): Has the Government appointed honorary assistant collectors and honorary magistrates for life during 1925, 1926 and 1927? If so, please give their names?

The Hon'ble Sir Sam O'Donnell: So far as honorary assistant collectors are concerned, the honourable member appears to be under a misapprehension. They are appointed for life only when they are placed on the retired list owing to advancing years.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes. The honourable member is referred to the United Provinces Civil List.

Pandit Bhagwat Narayan Bhargava: Does the answer relate only to assistant collectors?

The Hon'ble Sir Sam O'Donnell: My answer only relates to assistant collectors.

Mr. Mukandi Lal: Do the magistrates put on the retired list do any magisterial work?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No.

Mr. Mukandi Lal: What is the purpose of putting them on the retired list?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: It is in recognition of their good services.

Chaudhri Dharamvir Singh: Is it a sort of ornamentation?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The honourable member can draw his own conclusion.

Pandit Bhagwat Narayan Bhargava: What is the principle on which Government bases the appointment for life of these honorary magistrates?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I wish to refer the honourable member to the reply given to questions Nos. 46 to 49.

Pandit Nanak Chand: Is there any age-limit fixed when the honorary magistrates are retired from the active list to the inactive list?

The Hon'ble the President: I would remind the honourable member that all supplementary questions should be addressed to the Chair, because the Chair cannot follow them otherwise. The Government member should not be asked directly.

Pandit Nanak Chand: I wanted to inquire from the Government whether there is any age-limit when the honorary magistrates are transferred from the active list to that of the life magistrate?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: There is no rigid time-limit, but usually after sixty years of age.

Question No. 44 concerned both Revenue and Judicial departments.

Khan Bahadur Maulvi Fasih-ud din : Is the Government aware that according to the Civil List there are 34 honorary magistrates who are above seventy?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware of that, but I know there are honorary magistrates who are above sixty (they may be seventy), but some of them have been found physically fit.

* 45. **Rai Bahadur Babu Vikramajit Singh :** Does any age-limit apply to such cases?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

* 46. **Rai Bahadur Babu Vikramajit Singh :** Why was it necessary to make life appointments?

* 49. **Rai Bahadur Babu Vikramajit Singh :** Will the Government be pleased to state in what cases the Government makes life appointments as honorary magistrates or assistant collectors and in what class of cases such appointments are made for a fixed period?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : 46 and 49. Honorary magistrates of approved service whose powers would otherwise be withdrawn because they have become physically or otherwise unfit are usually appointed for life on the retired list. Appointments on the active list are ordinarily made for a fixed period.

Maulvi Saiyid Habibullah : What is the meaning of the words "otherwise unfit" mentioned in the answer?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Physically or mentally unfit.

* 47. **Rai Bahadur Babu Vikramajit Singh :** Were they recommended for life appointments by district officers or were they appointed without such recommendations?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The appointments were made on the recommendations of the local authorities.

* 48. **Rai Bahadur Babu Vikramajit Singh :** Does the Government intend to make any more such appointments?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

* 50. **Rai Bahadur Babu Vikramajit Singh :** Are there any rules on the subject?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No Government have issued instructions on the subject.

* 51. **Rai Bahadur Babu Vikramajit Singh :** What qualifications are needed for life appointments and for fixed period appointments?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Government have not prescribed definite qualifications either for life appointments or for fixed period appointments.

Chaudhri Dharamvir Singh : Is the Government aware that in Ghaziabad there is an honorary magistrate, Pandit Bakhtawar Singh, who is eighty years of age and who is hard of hearing and who writes "yes" when "no" is said and "no" when "yes" is said?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Government is not aware of this fact. If, however, the honourable

member will definitely bring the matter to the notice of the Government, we are prepared to make inquiries about it.

Chaudhri Dharamvir Singh : I want the Home Member to make an inquiry.

The Hon'ble the President : This is out of order at question time.

Chaudhri Dharamvir Singh : Is it the intention of the Government to make an inquiry about this matter ?

The Hon'ble Lieut Nawab Muhammad Ahmad Sa'id Khan : Yes.

Khan Bahadur Maulvi Fasih-ud-din : Is the Government aware that there is an honorary magistrate in Lucknow who is shown in the new Civil List as 79 years of age and who is still working ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I can very well understand that although the honourable member himself is on the retired list, he can make a very good honorary magistrate.

Mr. Mukandi Lal : Are these magistrates put on the retired list so that they may escape the consequences of physical unfitness ?

The Hon'ble the President : That is an argument.

Pandit Mul Chand Dube : Has the Government issued any instructions to the district officers to report the cases of those honorary magistrates who have exceeded the age of sixty years ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No, we have not issued any such instructions, but some instructions were issued, copies of which were placed on the honourable member's table, in connexion with certain questions.

Pandit Nanak Chand : I want to inquire from the Government if they have recently exercised the powers of withdrawing powers from these honorary magistrates, and, if so, in how many cases ?

The Hon'ble the President : It does not arise out of the question here.

Babu Chhail Bihari Capoor : Does the Government maintain any record of the age of honorary magistrates ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The honourable member can find it out from the Civil List.

Pandit Bhagwat Narayan Bhargava : May I know the reason why the Government has not fixed any qualifications for the appointment of magistrates for life ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As I have said, they are mostly on the retired list, therefore I think there is hardly any need for fixing any qualifications.

Pandit Bhagwat Narayan Bhargava : What is the reason for making such appointments ?

The Hon'ble the President : A reply has already been given. Mr. Mukandi Lal put that question and he has been replied.

Rai Bahadur Lala Mathura Prasad Mehrotra : What are the instructions for local officers in the case of appointment of honorary magistrates for life ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : They were all laid on the table yesterday. If the honourable member will kindly take the trouble of reading them, he will find what he wants.

Mr. Mukandi Lal : Is it the intention of Government to fix qualifications for the appointment and selection of honorary magistrates for future?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It is very difficult to fix any definite qualifications.

Mr. Mukandi Lal : Has Government issued any instructions to the district magistrates for the selection of honorary magistrates as regards their qualifications?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : They were laid on the table yesterday.

* 52. **Rai Bahadur Babu Vikramajit Singh :** What does the Government do when an honorary magistrate or honorary assistant collector appointed for life becomes bankrupt or is convicted of an offence or becomes physically unfit or becomes over 60 years of age?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : In case of necessity Government can withdraw magisterial powers whether granted for life or for a fixed period.

* 53. **Rai Bahadur Babu Vikramajit Singh :** Will the Government be pleased to state the total number of honorary magistrates for life, honorary magistrates for fixed period, also honorary assistant collectors for life and honorary assistant collectors for fixed period? Of these how many are graduates, how many Hindus and how many Muhammdans?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The honourable member is referred to the United Provinces Civil List. Information in regard to graduates is not available.

* 54 to 63. **Rai Bahadur Babu Vikramajit Singh :** [*Postponed at the request of Government till the first day of the next meeting.*]

CIVIL COURTS BUILDING, CAWNPORE.

* 64. **Rai Bahadur Babu Vikramajit Singh** (*asked by MR. C. Y. CHINTAMANI in the absence of the questioner*): For how many years there has been a demand for putting up courts for civil court officers in Cawnpore?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : About 24 years.

* 65. **Rai Bahadur Babu Vikramajit Singh** (*asked by MR. C. Y. CHINTAMANI in the absence of the questioner*): When does the Government intend to provide money for putting up a block of building for civil courts in Cawnpore?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : When the financial situation permits.

* 66. **Rai Bahadur Babu Vikramajit Singh** (*asked by MR. C. Y. CHINTAMANI in the absence of the questioner*): (a) Was a sum included in supplementary estimates and subsequently withdrawn?

(b) Why was this done?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A sum was included in the supplementary estimates in June, 1927, but the demand was not reached for want of time. The demand was not withdrawn.

Mr. C. Y. Chintamani : Was there no time during these 24 years when the financial situation permitted the allotment of money for that purpose?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am unable to say anything about the past 23 years. It was not put again this time because the financial condition changed.

Mr. C. Y. Chintamani : Since when has the financial condition changed?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It is difficult for me to say when it changed, as the honourable member is aware that I am not in charge of the Finance department.

Mr. C. Y. Chintamani : Is it a fact that the Governor in Council is one corporation and that the Hon'ble the Home Member is a part of that corporation? I put this question merely on account of the form in which the last answer has been given.

If the demand was not reached for want of time in June, 1927, why has it not been put up again along with other supplementary estimates?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Perhaps the reason is that if we had put it, then there would have been very little time left for expenditure. Perhaps that may be the reason; financial stringency is also one of the reasons.

Mr. C. Y. Chintamani : Will the Hon'ble the Home Member be a little more definite about the number of "perhaps" in his answer?

Is it the intention of the Government to include this demand in the estimates for 1928-29?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It is in the schedule of new demands. I cannot say whether it will be included in the budget or not because the whole thing has not been discussed yet.

NEW COUNCIL HOUSE.

* 67. **Rai Bahadur Babu Vikramajit Singh** (*asked by MAULVI MUHAMMAD OBAID-UR-RAHMAN KHAN in the absence of the questioner*) : Will the Government be pleased to state if the new Council House is ready? If not, when will it be ready?

The Hon'ble Sir Sam O'Donnell : The Council House is expected to be ready for occupation by the end of the year, though it will not by then be complete in all respects.

Maulvi Muhammad Obaid-ur-Rahman Khan : The following is the reply to question No. 67 :—

"The Council House is expected to be ready for occupation by the end of the year, though it will not by then be complete in all respects."

I want to know when will it be complete in all respects.

The Hon'ble Sir Sam O'Donnell: It is quite impossible to say that. There may be small additions necessary from time to time, but it will be ready for the opening ceremony and for occupation by the end of January.

Rai Bahadur Lala Mathura Prasad Mehrotra: What about the wings?

The Hon'ble Sir Sam O'Donnell: The wings have already been completed.

* 68. **Rai Bahadur Babu Vikramajit Singh** (*asked by MAULVI MUHAMMAD OBAID-UR-RAHMAN KHAN in the absence of the questioner*): Is it intended to have the opening ceremony performed? If so, when?

The Hon'ble Sir Sam O'Donnell: Yes, about the end of January, 1928.

Maulvi Muhammad Obaid-ur-Rahman Khan: When will the building be completed?

The Hon'ble Sir Sam O'Donnell: I have already said "about the end of January, 1928."

* 69. **Rai Bahadur Babu Vikramajit Singh** (*asked by MAULVI MUHAMMAD OBAID-UR-RAHMAN KHAN in the absence of the questioner*): What amount in all has been so far spent on this building?

* 70. **Rai Bahadur Babu Vikramajit Singh** (*asked by MAULVI MUHAMMAD OBAID-UR-RAHMAN KHAN in the absence of the questioner*): Has all the amount been paid off by the Government or is there any amount still owing? If so, to whom?

The Hon'ble Sir Sam O'Donnell: Rupees 19,37,603 were spent up to the middle of November, and work estimated to cost Rs. 4,22,898 then remained to be done. Each item of work is paid for as soon as the architect certifies its completion. The amount due for work done varies from day to day, and no figure can be given. It is due to contractors.

Pandit Nanak Chand: What is the amount due to the contractors?

The Hon'ble Sir Sam O'Donnell: I have answered that. I have explained the amount as far the information can be given at present.

Maulvi Muhammad Obaid-ur-Rahman Khan: How much more money has been spent out of Rs. 4,22,898?

The Hon'ble Sir Sam O'Donnell: I cannot say that, because it varies from day to day for the reasons given in the answer.

Mr. A. P. Dube: Will the next meeting of the Council take place in January in that House?

The Hon'ble Sir Sam O'Donnell: That I cannot say.

The Hon'ble the President: That is a hypothetical question and cannot be answered.

* 71. **Rai Bahadur Babu Vikramajit Singh** (*asked by MAULVI MUHAMMAD OBAID-UR-RAHMAN KHAN in the absence of the questioner*): Has furniture and equipment been provided for the building? If so, what has been the cost of furniture and equipment?

The Hon'ble Sir Sam O'Donnell: The extra furniture necessary for the use of the Council is being provided; it is estimated to cost Rs. 14,485. For the offices the furniture in use elsewhere is being utilized, additions being made only where necessary.

Mr. C. Y. Chintamani: From where is the furniture for the new Council House being obtained?

The Hon'ble Sir Sam O'Donnell: Money, I suppose, is in the grant. Does the honourable member want to know about money or about furniture?

Mr. C. Y. Chintamani: I asked the Hon'ble the Finance Member, who answered this question, where the furniture was being obtained from?

The Hon'ble Sir Sam O'Donnell: It is being made locally by Sikh carpenters.

Mr. C. Y. Chintamani: The whole of it?

The Hon'ble Sir Sam O'Donnell: I think nearly the whole of it—there may be a few items which are not being made.

Mr. C. Y. Chintamani: Has the Stores Purchase department been utilized for this purpose?

The Hon'ble Sir Sam O'Donnell: I do not think so.

Mr. C. Y. Chintamani: For what reason?

The Hon'ble Sir Sam O'Donnell: Because it is being made by Sikh carpenters.

Mr. C. Y. Chintamani: Are the carpenters Government servants?

The Hon'ble Sir Sam O'Donnell: No, but it is quite a usual practice to have furniture made locally.

Mr. C. Y. Chintamani: Was it considered whether this arrangement was cheaper or more satisfactory in other respects than purchase through the Stores Purchase department?

The Hon'ble Sir Sam O'Donnell: The arrangements were in the hands of the architect.

Mr. C. Y. Chintamani: Was the architect responsible also for the supply of furniture?

The Hon'ble Sir Sam O'Donnell: Yes, he was.

Mr. C. Y. Chintamani: Are architects experts in respect of furniture also?

The Hon'ble Sir Sam O'Donnell: I think they are, because the furniture has to suit the general design of the building.

Khan Bahadur Maulvi Fasih-ud-din: Has an architect any expert knowledge of furniture also?

The Hon'ble Sir Sam O'Donnell: I expect he has quite considerable knowledge of furniture.

CHAUKA-GHAT BRIDGE, BENARES.

* 72. **Babu Kavendra Narayan Singh**: Is the Government aware of the inconvenience to which the public of Benar's is put on account of the Chauka-ghat bridge being closed for the traffic of vehicles?

The Hon'ble Nawab Muhammad Yusuf: Yes.

Mr. Kavendra Narayan Singh: How long would it take to get the inconvenience removed?

The Hon'ble Nawab Muhammad Yusuf: The district board is primarily responsible for it—not the Government.

* 73. **Babu Kavendra Narayan Singh**: [*Postponed at the request of Government till the first day of the next meeting.*]

PRINCE OF WALES' SARASWATI BHAWAN AT BENARES.

* 74. **Babu Kavendra Narayan Singh**: Is the Government aware that since the inauguration of the Prince of Wales' Saraswati Bhawan at Benares, efforts are being made to complete a catalogue of the manuscripts possessed by the library? Does Government intend to multiply hands, though temporarily, to complete the work at an early date?

The Hon'ble Rai Rajeshwar Bali: Yes. An assistant librarian has already been appointed.

* 75. **Thakur Har Prasad Singh**: [*Postponed at the request of Government till the first day of the next meeting.*]

HONORARY MUNSIF AT MAHOBIA AND RATH IN HAMIRPUR.

* 76. **Thakur Har Prasad Singh**: (a) Is it a fact that there is no honorary-munsif at Mahobia and Rath in Hamirpur district?

(b) Is it a fact that the people of Rath and Mahobia sub-divisions have to go to Hamirpur for filing even petty money suits and consequently are put to great inconvenience and expense?

(c) Do the Government intend to create honorary munsif's courts at Mahobia and Rath?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) Yes.

(b) Government have received no complaints.

(c) No.

Thakur Har Prasad Singh: Will the Government make an inquiry about the inconvenience to which the public is put on account of there being no honorary munsif's court?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: We will bring the question of the honourable member to the notice of the local authorities.

* 77. **Thakur Har Prasad Singh**: [*Postponed at the request of Government till the first day of the next meeting.*]

FORFEITURE OF LICENCES AT HAMIRPUR.

* 78. **Thakur Har Prasad Singh**: (a) Has the Government yet made any inquiry about the forfeiture of so many licences within six months by Dr. Nehru, District Magistrate of Hamirpur, as elicited from

the answer to my starred question No. 16 reported at page 243 of volume XXXV, Council Proceedings?

(b) If the answer to the above be in the affirmative, will the Government be pleased to lay a copy of the said report on the table?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) No.

(b) Does not arise.

Thakur Har Prasad Singh: Does the Government know that many licences of so many important persons were . . .

The Hon'ble the President: May I say that the honourable member is arguing. He should refrain from the argumentative parts of his question and ask for information.

Thakur Har Prasad Singh: Will the Government make an inquiry about it?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Government do not think it necessary to make any inquiry because we have seen how some of the licences were cancelled. Nine, for instance, were cancelled because the licensees died.

Thakur Har Prasad Singh: Is it not a fact that many licences of important persons were cancelled?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Government are not aware of the importance of all the persons whose licences were cancelled. Thirty-two licences were cancelled by Mr. Nehru.

Thakur Har Prasad Singh: Will the Government inquire whether those persons were important or not?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I do not see any reason to inquire, because there is a right of appeal to the Commissioner.

Babu Bhagwati Sahai Bedar: Is Government aware of the number of cases in which appeals were made?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I am not aware.

* 79. **Pandit Nanak Chand:** [*Postponed at the request of Government till the first day of the next meeting.*]

APPOINTMENT OF SHAIKH AHMAD HUSAIN AS HONORARY MAGISTRATE, KHURJA, BULANDSHAHR.

* 80. **Pandit Nanak Chand:** (a) Is it a fact that Shaikh Ahmad Husain, vice-chairman, Bulandshahr municipal board, has been recommended to be appointed as honorary magistrate of Khurja bench of honorary magistrates by Khan Bahadur M. Rafi-ud-din Ahmad, Magistrate, Bulandshahr? If so, who recommended his name to the District Magistrate?

(b) What are his educational qualifications and age? What amount of personal land revenue or income-tax, if any, he is paying for his share, and since when?

(c) Is it a fact that the only small zamindari of about 30 bighas owned by Shaikh Ahmad Husain has been obtained in litigation from his wife on the basis of a gift deed made by her about two years ago and is subject to encumbrances? If so, what is the amount of encumbrances?

(d) Is it a fact that Shaikh Ahmad Husain resides at Bulandshahr? If so, why has he been recommended for Khurja bench? Are no suitable persons available at Khurja?

(e) Is it the intention of the District Magistrate or the Government to later on transfer Shaikh Ahmad Husain to the Bulandshahr bench after he is once appointed an honorary magistrate?

(f) Is it a fact that his income is not more than Rs. 30 per mensem? What are the sources of his income?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) to (d) and (f) Government have no information.

(e) Does not arise.

* 81 and 82. **Pandit Nanak Chand :** [*Postponed at the request of Government till the first day of the next meeting.*]

MUSAMMAT RAM DULARI.

* 83. **Pandit Nanak Chand :** (a) Is it a fact that one Musammat Ram Dulari, caste Rajput, of police station Eka, district Mainpuri, was detained at Khurja junction on June 23, 1927 with one Umar Ali, and on medical examination by the in charge civil surgeon, Bulandshahr, found to be a minor under 16 years of age? If not, what are the facts as ascertained by the Government?

(b) Is it a fact that the railway police sent the papers concerning the matter to Mainpuri district police for further investigation and action, where the accused Umar Ali was challaned under sections 363 and 366, Indian Penal Code, and committed by Mir Ali Raza, deputy magistrate, to the court of session, where the accused was acquitted on September 6, 1927 by M. Fasih-ud-din Ahmad Khan Sahib, Assistant Sessions Judge, without any defence, holding Musammat Ram Dulari to be above 16 years of age, disbelieving medical evidence and a number of statements regarding her age? Will the Government be pleased to lay a copy of the judgement on the table?

(c) Is it a fact that the superintendent of police, Mainpuri, moved Khan Bahadur Saiyid Zain-ud-din, District Magistrate, to prefer an appeal against the order of acquittal and further submitted a copy of birth entry of Musammat Ram Dulari in corroboration of the prosecution evidence of her age along with the grounds of appeal? If so, when? Did Khan Bahadur Saiyid Zain-ud-din, District Magistrate, forward the papers for appeal? If not, why? Will the Government be pleased to get the record examined and state what action, if any, they propose to take?

KING-EMPEROR *versus* UMAR ALI.

* 84. **Pandit Nanak Chand :** (a) Is it a fact that in sessions trial of 1927, King-Emperor *versus* Umar Ali, under sections 363 and 366,

Indian Penal Code, police station Eka, district Mainpuri, the following facts have been stated on oath that—

- (i) Musammat Ram Dulari was kept in the quarters of the Muslim station master of Jalesar railway station who pressed her to marry a Muslim telegraph inspector;
- (ii) that Aligarh railway police sub-inspector and head constable on duty, both of whom were Muslims, detained the accused with Musammat Ram Dulari on being requested to take cognizance, but soon after this allowed them to proceed by the same train without taking cognizance;
- (iii) that the said Muslim telegraph inspector accompanied Musammat Ram Dulari and the accused up to Khurja junction?

(b) What action, if any, have the Government taken or do they intend to take against the said officers? If no action is contemplated, then why?

The Hon'ble Sir Sam O'Donnell : 83 and 84. Government have no information. They gather from the honourable member's questions that the accused was committed to the court of sessions and was acquitted on September 6, 1927. They do not propose to discuss in Council either the evidence tendered during the course of the trial or the decision given by the Assistant Sessions Judge.

Pandit Nanak Chand : Will the Government inquire if there has been any miscarriage of justice on account of an error of judgement?

The Hon'ble Sir Sam O'Donnell : No, not unless reasons are given to Government to believe that such failure occurred.

Pandit Nanak Chand : Is it a fact that the superintendent of police committed the papers for appeal to the District Magistrate?

The Hon'ble Sir Sam O'Donnell : I do not know.

Pandit Nanak Chand : Will the Government please inquire?

The Hon'ble Sir Sam O'Donnell : I see no reason to do so.

PUBLICATION OF "*Majnun ka gasht*."

* 85. **Pandit Nanak Chand :** Is the Government aware that a dialogue under the heading "*Majnun ka gasht*" has been published by Muhammad Yasin Waqili, Khurja, over his name printed at Zaic Press, Bulandshahr, and has been circulated? If the reply be in the negative, then will the Government be pleased to order an inquiry and state what action, if any, do Government intend to take against the author, printer and publisher of the dialogue? If not, why? And in the latter case will the Government be pleased to lay a copy of the said dialogue on the table?

The Hon'ble Sir Sam O'Donnell : (a) The answer is in the negative. (b) Government are making inquiries in the matter.

GOVERNMENT SCHOOL OF DYEING AND PRINTING, CAWNPORE.

* 86. **Pandit Nanak Chand :** (a) How many, and what, classes are at present held in the Government School of Dyeing and Printing, Cawnpore, and what is the number of students in each class?

(b) What is the number of students in each class who are not *bond-fide* residents of these provinces? What scale of fee, if any, are such students required to pay? Are there any freeships for them? If so, how many and why?

(c) Is it a fact that a large majority of students in the various sections of the Foreign Dyers' class during the last three years have been residents of Bombay Presidency? If so, why?

The Hon'ble Rai Rajeshwar Pali (*for the* **HON'BLE THAKUR RAJENDRA SINGH**): (a) and (b) A statement is laid on the table.

(c) No; does not arise.

(See Appendix A, page 454.)

KOTWALIS UNDER DEPUTY SUPERINTENDENTS OF POLICE.

* 87. **Rai Bahadur Lala Mathura Prasad Mehrotra**: Will the Government be pleased to state for what cities it has been decided to have deputy superintendents of police as kotwals in the kotwali?

* 88. In which of the kotwalis has this order been enforced?

* 89. Which of the kotwalis still remain to be provided with deputy superintendents as kotwals?

* 90. When does the Government intend to appoint such officers in these kotwalis?

* 91. What were the reasons for the Government not appointing them so far?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Government have approved of the replacement of inspector-kotwals by deputy superintendents of police in Benares, Cawnpore, Allahabad, Agra, Bareilly, Meerut and Lucknow—the only cities in which kotwals are officially recognized. They have not yet, however, been able for want of funds to give effect to the proposal, but intend to do so from the commencement of next year. Meanwhile temporary deputy superintendents or honorary deputy superintendents of police have been placed in charge of the above kotwalis as a temporary measure.

HONORARY DEPUTY SUPERINTENDENTS OF POLICE.

* 92. **Rai Bahadur Lala Mathura Prasad Mehrotra**: (a) Are there any honorary deputy superintendents of police?

(b) If so, who are they and where are they posted?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) Yes. One.

(b) Khan Bahadur Munshi Abdul Jalil who is at Cawnpore.

* 93. **Rai Bahadur Lala Mathura Prasad Mehrotra**: What is the difference between the rank, emoluments, functions and duties of honorary deputy superintendents and deputy superintendents?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: There is no difference between the rank and functions and duties of honorary and permanent deputy superintendents of police. The emoluments of an honorary deputy superintendent of police, however, are those of an inspector including local and conveyance allowances.

* 94. **Rai Bahadur Lala Mathura Prasad Mehrotra :** Why were the honorary deputy superintendents created, and when?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Honorary deputy superintendents are inspectors who have been given honorary rank because of special meritorious services and because of the importance of the appointments they hold. The rank of honorary deputy superintendent of police was sanctioned by Government in 1920.

* 95. **Rai Bahadur Lala Mathura Prasad Mehrotra :** Is Cawnpore one of the places where the deputy superintendent is to be appointed?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

* 96. **Rai Bahadur Lala Mathura Prasad Mehrotra :** Has the Government made any such appointment? If not, why not?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No. Funds have not been available.

* 97. **Rai Bahadur Lala Mathura Prasad Mehrotra :** (a) Has the Government decided to keep English-knowing deputy superintendents in Cawnpore kotwali?

(b) When was this decided?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Government intend to give financial effect to the proposal to post English-knowing deputy superintendents of police to the five larger kotwalis in the provinces from April, 1928.

(b) In 1925.

* 98. **Rai Bahadur Lala Mathura Prasad Mehrotra :** Is the present honorary deputy superintendent an English-knowing man?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

* 99. **Rai Bahadur Lala Mathura Prasad Mehrotra :** Why is the Government not appointing an English-knowing deputy superintendent in Cawnpore?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : One will be appointed when the scheme is sanctioned.

Rai Bahadur Lala Mathura Prasad Mehrotra : Are no honorary temporary deputy superintendents available for the city of Cawnpore?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am informed that the present man is regarded as the best man.

NOMINATION OF NAIB-TAHSILDARS FOR TAHSILDARSHIP AT BANDA.

* 100. **Babu Kishori Prasad :** (a) Will the Government be pleased to state how many naib-tahsildars from the district have been nominated this year by Mr. Khurshed Ahmad, the Collector of Banda, for tahsildarship?

(b) How many of them are Hindus and Muslims respectively?

(c) Which one of them is senior in service?

(d) What is the order of merit in which each of them has been recommended by the Collector?

(e) What are the special qualifications of each of them for being so nominated ?

The Hon'ble Sir Sam O'Donnell : (a) Two.

(b) One Hindu and one Muslim.

(c) The Hindu naib-tahsildar.

(d) Government have no information. The recommendation is made to Government by the Commissioner and not the Collector.

(e) Suitability for tahsildarship.

NOMINATION OF QANUNGOS FOR NAIB-TAHSILDARSHIP AT BANDA.

* 101. **Babu Kishori Prasad :** (a) How many qanungos from the district have been nominated this year for naib-tahsildarship ?

(b) How many of them are Hindus and Muslims respectively ?

(c) Which of them is senior in service ?

(d) What is the order of merit in which each of them has been recommended by the Collector ?

(e) What are the special qualifications of each of them for being so nominated ?

The Hon'ble Sir Sam O'Donnell : (a) and (b) Government have no information, but the Commissioner has sent the name of one Muslim supervisor qanungo.

(c) and (d) Do not arise.

(e) Suitability for naib-tahsildarship.

NOMINATION FOR DIRECT RECRUITMENT TO NAIB-TAHSILDARSHIP.

* 102. **Babu Kishori Prasad :** How many candidates applied to the Collector of Banda for being nominated for direct recruitment to the naib-tahsildarship ?

The Hon'ble Sir Sam O'Donnell : Government have no information and do not propose to obtain any, nomination being a matter within the discretion of the local authorities with which Government do not interfere.

* 103. **Babu Kishori Prasad :** Is it a fact that a solitary Muslim was nominated for direct recruitment to the naib-tahsildarship ?

The Hon'ble Sir Sam O'Donnell : Yes. The rule allows for one nomination only.

* 104. **Babu Kishori Prasad :** (a) Is it a fact that the said Muslim nominee is not a permanent resident of the district ?

(b) If not, since how long has he been residing in this district ?

(c) What are his educational and other qualifications for being nominated ?

* 105. Was there not a single suitable Hindu candidate available for being so nominated ?

* 106. (a) Is it a fact that several Hindu graduates had applied to the Collector for being nominated ?

(b) If so, why was none of them nominated ?

The Hon'ble Sir Sam O'Donnell : 104 (b), 105 and 106 (a) and (b) Government have no information and do not propose to obtain any, nomination being a matter within the discretion of the local authorities with which Government do not interfere.

The Hon'ble Sir Sam O'Donnell : 104. (a) Yes.

(c) Has passed the Intermediate examination of the Muslim University, Aligarh, and belongs to a respectable family.

Pandit Nanak Chand : Is the Government in position to state why a non-resident candidate was nominated ?

The Hon'ble Sir Sam O'Donnell : I do not know why he was nominated. Presumably he was considered to be most suitable.

Pandit Nanak Chand : Is the Government in a position to state why the case of graduates was not favourably considered ?

The Hon'ble Sir Sam O'Donnell : As I said, this is a matter within the discretion of local authorities. I cannot say why the Collector or the Commissioner did not nominate a particular candidate.

Thakur Har Prasad Singh : With reference to question No. 104, to which district does this candidate belong ?

The Hon'ble Sir Sam O'Donnell : I do not know.

Maulvi Muhammad Obaid-ur-Rahman Khan : Is there any rule that only residents should be nominated for naib-tahsildarship ?

The Hon'ble Sir Sam O'Donnell : No, there is no such rule.

Babu Kishori Prasad : Is it not the practice in such nominations that preference is always given to permanent residents ?

The Hon'ble Sir Sam O'Donnell : I am not aware whether there is any such permanent practice.

Babu Uma Shankar : On what principle are these nominations made ?

The Hon'ble Sir Sam O'Donnell : Suitability.

Babu Uma Shankar : Were graduates not found to be suitable ?

The Hon'ble Sir Sam O'Donnell : Presumably the man nominated was considered to be the most suitable.

Mr. A. P. Dube : Is residence not a qualification ?

The Hon'ble Sir Sam O'Donnell : It is not the only qualification.

Babu Kishori Prasad : Will Government consider the advisability of issuing instructions to District Magistrates to give preference to permanent residents in making such nominations ?

The Hon'ble Sir Sam O'Donnell : They probably do as a rule. I see no necessity for issuing any instructions.

Mr. C. Y. Chintamani : Suitability from what point of view and from whose point of view ?

The Hon'ble Sir Sam O'Donnell : Suitability from the point of view of public service.

Khan Bahadur Maulvi Fasih-ud-din : Is it not a fact that the only limitation is that the candidate nominated should be a resident of the province ?

The Hon'ble Sir Sam O'Donnell : Yes, that is the rule, I believe—three years' rule.

* 107 to * 111. **Babu Kishori Prasad :** [*Postponed at the request of Government till the first day of the next meeting.*]

* 112 to * 117. **Mr. Zahur Ahmad :** [*Postponed at the request of Government till the first day of the next meeting.*]

* 118. **Chaudhri Vijai Pal Singh :** [*Postponed at the request of Government till the first day of the next meeting.*]

* 119 to * 127. **Mr. Muhammad Abdul Bari :** [*Postponed at the request of Government till the first day of the next meeting.*]

PUBLICATIONS OF VERNACULAR PAPERS AT MEERUT.

* 128. **Mr. Muhammad Abdul Bari :** How many vernacular papers are published from Meerut ?

The Hon'ble Sir Sam O'Donnell : Twenty-one.

* 129. **Mr. Muhammad Abdul Bari :** How many of these are owned by Hindus and how many by Muhammadans ?

The Hon'ble Sir Sam O'Donnell : Hindus own fourteen and Muslims seven papers.

* 130 and * 131. **Mr. Muhammad Abdul Bari :** [*Postponed at the request of Government till the first day of the next meeting.*]

SAFETY OF THE PERSON AND PROPERTY OF MUSLIM TRADERS IN HINDU MELAS.

* 132. **Mr. Muhammad Abdul Bari :** What steps are Government taking or do they propose to take to ensure the safety of the person and property of Muslim traders in Hindu *melas* in future ?

The Hon'ble Sir Sam O'Donnell : Government have no reason to believe that the person and property of Muslim traders at Hindu *melas* will require special measures of protection in future. If and when such a contingency arises Government have no doubt that the local authorities will make suitable arrangements.

* 133 to * 136. **Mr. Muhammad Abdul Bari :** [*Postponed at the request of Government till the first day of the next meeting.*]

DEPOSIT OF SECURITY MONEY BY EXCISE LICENSEES.

* 137. **Pandit Brijnandan Prasad Misra :** Will the Government inform the Council if the excise licensees are now required to deposit the security money in Government treasuries and that before the present orders on the subject they were allowed to make such deposits in reliable banks also ? If so, will the Government state the reasons for this change ?

The Hon'ble Rai Rajeshwar Bali (for the Hon'ble Thakur Rajendra Singh) : The honourable member is referred to the answer to starred question No. 48 of June 21, 1927.

* 138. **Pandit Brijnandan Prasad Misra :** [*Postponed at the request of Government till the first day of the next meeting.*]

RANGERS IN THE UNITED PROVINCES.

139. **Pandit Brijnandan Prasad Misra :** Will the Government be pleased to state—

- (a) the total number of rangers in the United Provinces ;
- (b) the grades in which they are distributed ;
- (c) the pay of each grade ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) One hundred and six.

(b) Seven.

(c) Rupees 90, Rs. 110, Rs. 130, Rs. 160, Rs. 185, Rs. 210 and Rs. 230.

* 140. **Pandit Brijnandan Prasad Misra :** (a) Is the Government aware of the discontent among rangers on the block in promotion ?

(b) If so, does the Government contemplate any measures for removing this discontent ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) Yes.

* 141. **Pandit Brijnandan Prasad Misra :** Since when has this block in promotion been continuing and when are promotions expected to revert to normal conditions ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The block in promotion may be said to have begun in 1919 from which year until 1925 recruitment to the Provincial Forest Service was almost entirely by direct recruitment from Dehra Dun, only one ranger having been promoted in 1922. Promotion is now becoming more normal as direct recruitment from Dehra Dun has now ceased and the last three vacancies in the Provincial Forest Service have been filled by rangers.

* 142. **Pandit Brijnandan Prasad Misra :** What is the average period of service a ranger has to take in theory for promotion from the lowest to the next above grade and from the latter to the next higher ? And the actual period of years taken on average by a ranger for promotion from the lowest to the next above grade and from the latter to the next higher ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Government are not aware of any accepted theory on the point raised in the first part of the question, but they think that the ideal average period would be about four years ; as regards the second part of the question, the information could not be ascertained without an amount of research and mathematical calculation which would be out of proportion to the value of the result which would be obtained.

* 143. **Pandit Brijnandan Prasad Misra :** Is it a fact that the rangers in the Kumaun hills do not get any travelling allowance except the horse allowance ? Is it a fact that officers of equivalent status in other departments such as naib-tahsildars, overseers, or sub-overseers get travelling allowance including the halting allowance ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : These rangers get a consolidated travelling allowance. They are not, therefore, comparable in this respect with the other officials mentioned.

* 144 to *146. **Pandit Mulchand Dube** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

LOCATION OF IMPERIAL BANK AT FARRUKHABAD.

* 147. **Pandit Mulchand Dube** : (a) Is the Government aware that great inconvenience is caused to the litigant public in drawing from and depositing money into the Imperial Bank of India whose branch is located at Farrukhabad about four miles away from the courts?

(b) Has the Government received any representation on the subject?

(c) What action, if any, has been taken on the representation?

(d) Does the Government propose to take any action towards removing this public inconvenience?

The Hon'ble Sir Sam O'Donnell : (a) Yes.

(b) Government have received no representation from any private persons; but various authorities have represented the case.

(c) and (d) In consultation with the local authorities Government are endeavouring to devise a means of removing the inconvenience, but prefer not to give details at present. If the honourable member will repeat his question in a later session they may be able to announce their decision.

Pandit Mulchand Dube : Will it be possible to announce the decision of the Government at the next session of the Council?

The Hon'ble Sir Sam O'Donnell : As I said, I hope so.

* 148 and *149. **Pandit Mulchand Dube** : [*Postponed at the request of Government till the first day of the next meeting.*]

SAVINGS BY THE TRANSFER OF TRANS-RAMGANGA AREA TO SHAH-JAHANPUR DISTRICT.

* 150. **Pandit Mulchand Dube** : Will the Government be pleased to state the net saving effected by the transfer of the trans-Ramganga area of Farrukhabad district to the Shahjahanpur district in each of the years 1924, 1925 and 1926?

The Hon'ble Sir Sam O'Donnell : Tahsil Aligarh of the Farrukhabad district was abolished from April 1, 1925. There was, therefore, no saving in the year 1924. The economy effected by the abolition of the entire tahsil was Rs. 11,580 per annum. No separate figure of the saving from the trans-Ramganga portion is available.

* 151. **Pandit Mulchand Dube** : [*Postponed at the request of Government till the first day of the next meeting.*]

TRANSFER OF PROVINCIAL SERVICE DISTRICT JUDGES AND EXECUTIVE OFFICERS FROM AGRA PROVINCE TO OUDH AND VICE VERSA.

* 152. **Khan Bahadur Hafiz Hidayat Husain** : (i) Are provincial service district judges and provincial service executive officers liable to transfer from Agra Province to Oudh and vice versa?

(ii) Are provincial service subordinate judges and munsifs equally liable to such transfer? If not, why?

(iii) Have Government considered the desirability of unifying the provincial judicial services of both the provinces?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (i) Yes.

(ii) No; because Agra and Oudh have each a separate cadre of the provincial civil (judicial) service.

(iii) The question was considered in 1899 but was dropped and has not since been revived.

NOMENCLATURE OF SUBORDINATE JUDGES AND MUNSIFS.

***153. Khan Bahadur Hafiz Hidayat Husain :** Do Government propose to alter the designation of subordinate judges and munsifs? If so, what will be the new nomenclature?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (i) No. (ii) Does not arise.

***154 and *155. Khan Bahadur Hafiz Hidayat Husain :** [*Postponed at the request of Government till the first day of the next meeting.*]

***156 to *167. Khwaja Khalil Ahmad Shah :** [*Postponed at the request of Government till the first day of the next meeting.*]

***168 to *170. Pandit Iqbal Narayan Gurtu :** [*Postponed at the request of Government till the first day of the next meeting.*]

TEACHING OF CIVICS IN GOVERNMENT INTERMEDIATE COLLEGES.

***171. Pandit Iqbal Narayan Gurtu** (*asked by Mr. C. Y. Chintamani in the absence of the questioner*): (a) Is there any provision for the teaching of civics—a subject prescribed for the Intermediate examination in any of the Government intermediate colleges? If not, why not?

(b) Will Government consider the desirability of introducing the teaching of civics at least in such Government colleges where the present men employed on their staff possess the necessary qualifications to teach that subject?

The Hon'ble Rai Rajeshwar Bali : (a) No.

(b) Government will examine the matter.

Mr. C. Y. Chintamani : When is it likely that the examination will be concluded?

The Hon'ble Rai Rajeshwar Bali : The proposal has been made and we will examine the matter.

Maulvi Muhammad Obaid-ur-Rahman Khan : Has it ever been examined up to this time?

The Hon'ble Rai Rajeshwar Bali : I believe not.

Maulvi Muhammad Obaid-ur-Rahman Khan : Will the Government give reasons for not examining the question up to this time when it has been prescribed in the curriculum?

The Hon'ble Rai Rajeshwar Bali : Perhaps so far there has been no demand for the introduction of the subject.

Mr. C. Y. Chintamani : Can the Hon'ble Minister give a hope that provision will be made for this at an earlier date?

The Hon'ble Rai Rajeshwar Bali : I have already said we will examine the matter. How can we make provision unless we examine it?

Mr. C. Y. Chintamani : Is the examination likely to be concluded in time for provision to be made in the next financial year ?

The Hon'ble Rai Rajeshwar Bali : It is difficult to say.

Mr. C. Y. Chintamani : Will an effort be made in that direction ?

The Hon'ble Rai Rajeshwar Bali : I believe it has already been made.

Mr. C. Y. Chintamani : If it has already been made, the Hon'ble Minister can give a reply to this question.

The Hon'ble the President : There is no use in going into an argument.

*172 to *174. **Pandit Iqbal Narayan Gurtu :** [*Postponed at the request of Government till the first day of the next meeting.*]

*175 and 176. **Thakur Hukum Singh :** [*Postponed at the request of Government till the first day of the next meeting.*]

RAI SAHIB CHAUDHRI HARI SINGH, DIVISIONAL SUPERINTENDENT
OF AGRICULTURE, BENARES.

*177. **Thakur Hukum Singh :** With reference to my question No. 116, dated October 31, 1927, will the Government kindly state on what grounds Government thinks that the management was not satisfactory ? Do the inspection notes show this ?

The Hon'ble Rai Rajeshwar Bali (for the Hon'ble Thakur Rajendra Singh) : On the grounds stated in Appendix K of the printed report of the Council Proceedings of October 31, 1927.

Thakur Hukum Singh : Do the inspection notes show this ?

The Hon'ble Rai Rajeshwar Bali : Show what ?

CATTLE-BREEDING COMMITTEE MEETINGS.

*178. **Khan Bahadur Saiyid Jafer Hosain (asked by Mr. C. Y. Chintamani in the absence of the questioner) :** (a) Will the Government be pleased to state the number of meetings of the cattle-breeding Committee in the year 1927 ?

(b) If there has been no meeting, will the Government be pleased to state the reasons for not convening even one or two meetings in the whole year ?

(c) When does the Government intend to hold a meeting of this Committee ?

The Hon'ble Rai Rajeshwar Bali (for the Hon'ble Rajendar Singh) : (a) None.

(b) The Committee could not be reconstituted till September, 1927, owing to the delay in the nomination of a representative by the Agra Province Zamindars' Association.

(c) Notices have already been issued for a meeting to be held at Muttra on January 21 and 28.

Mr. C. Y. Chintamani : With regard to clause (b) by whom was the representative of the Agra Province Zamindars' Association nominated or elected ?

The Hon'ble Rai Rajeshwar Bali : I believe by the association.

Mr. C. Y. Chintamani : Is it a fact that a nomination was made by the Hon'ble Minister for Local Self-Government in his capacity as Chairman of the Committee of Association, and that neither the Association nor the Committee made any nomination?

The Hon'ble Rai Rajeshwar Bali : I am not aware of this fact.

Mr. C. Y. Chintamani : Will the Government kindly inquire into the matter?

The Hon'ble Rai Rajeshwar Bali : Yes.

Mr. C. Y. Chintamani : Is it a fact that when the privilege was conceded to the Agra Province Zamindars' Association it was not intended that the member should be nominated by the Minister for Local Self-Government.

The Hon'ble Rai Rajeshwar Bali : I am not aware of this.

***179. Khan Bahadur Saiyid Jafer Hosain :** [*Postponed at the request of Government till the first day of the next meeting.*]

APPOINTMENT OF A COMMITTEE TO VISIT SALVATION ARMY SETTLEMENTS.

***180. Khan Bahadur Saiyid Jafer Hosain :** (*asked by Pandit Badri Datt Pande in the absence of the questioner :*) (a) Has the Government appointed committees of the members of the Legislative Council for the purpose of visiting Salvation Army settlements?

(b) If not, what were the reasons for not appointing them so far?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) and (b) Committees are in process of formation. They will be composed mainly of members of the Legislative Council. The appointments will probably be notified in the course of this month.

Pandit Badri Dutt Pande : Will these committees be nominated or elected?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Nominated by the Government.

Chandhri Dharamvir Singh : How many committees will be appointed—one for all the settlements or one for each settlement?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think one committee for each settlement.

CANTONMENT BOARDS.

***181. Babu Ohhail Bihari Capoor :** (a) What places in the province have got cantonment boards?

(b) What is the constitution of each board as prescribed?

(c) What was the number of elected Hindus, Muslims and others respectively on each board in October, 1927?

(d) What is the position now after the recent elections?

***182. (a)** On which of the cantonment boards are any seats reserved on the communal basis?

(b) What is the number of seats reserved for each community?

(c) What is the population of each community for which the aforesaid seats are reserved in the several cantonment areas?

The Hon'ble Sir Sam O'Donnell : 181 (a) and (b) and 182 (a) and (b) A statement is laid on the table.

181, (c) and (d) and 182 (c) Inquiry is being made and a reply will be given on a later date.

Babu Chhail Bihari Capoor : What are the points that are taken into consideration when determining whether communal representation should or should not be introduced in any area ?

The Hon'ble Sir Sam O'Donnell : The main point to be considered is whether without separate communal representation the community in question would secure adequate representation.

(See Appendix B, page 455.)

CANTONMENT BOARD, BAREILLY.

*183. **Babu Chhail Bihari Capoor :** (a) What is the population of Hindus, Muhammadans and others, respectively, subject to the jurisdiction of the Cantonment Board, Bareilly ?

(b) What was the number of elected Hindus, Muhammadans and others respectively on the said board in October, 1927 ?

(c) What is the corresponding number since the last elections ?

The Hon'ble Sir Sam O'Donnell : Inquiry is being made and a reply will be given on a later date.

*184. **Babu Chhail Bihari Capoor :** (a) Did the local Government receive before the last cantonment board elections any representation from any Hindus of the Bareilly cantonment urging reservation of seats on their board on the communal basis ?

(b) What orders were passed by the local Government on that representation ?

The Hon'ble Sir Sam O'Donnell : (a) No.

(b) Does not arise.

*185. **Babu Chhail Bihari Capoor :** What is the general policy of the Government in the matter of reserving seats on cantonment boards on the communal basis ?

The Hon'ble Sir Sam O'Donnell : Seats are reserved where local conditions justify this.

FOREIGN SCHOLARSHIPS FOR THE LUCKNOW UNIVERSITY.

*186. **Khan Bahadur Maulvi Fasih-ud-din :** What are the names of the candidates who have been selected for foreign scholarships by the Lucknow University from its inauguration to the present day ?

*187. What were the subjects in which each of the students was to prosecute further studies in England ?

The Hon'ble Rai Rajeshwar Bali : A statement is laid on the table.

(See Appendix C, page 456.)

*188. **Khan Bahadur Maulvi Fasih-ud-din :** Has any Muslim candidate hitherto succeeded in securing a scholarship ? If not, what are the reasons ?

*189. What are the conditions for the award of the scholarship?

*190. Did any Muslim candidate fulfil those conditions? If not, is one available now to fulfil them?

The Hon'ble Rai Rajeshwar Bali: Government award these scholarships on the nomination of the university concerned.

*191 to *193. **Khan Bahadur Maulvi Fasih-ud-din:** [*Postponed at the request of Government till the first day of the next meeting.*]

*194. **Khan Bahadur Maulvi Fasih-ud-din:** [*Withdrawn by the honourable member.*]

*195 and *196. **Khan Bahadur Maulvi Fasih-ud-din:** [*Postponed at the request of Government till the first day of the next meeting.*]

RELIGIOUS PROCESSIONS.

*197. **Chaudhri Dharamvir Singh:** (a) Between March 31, 1924, and July 31, 1927, how many religious processions were such that on each of them restrictions were imposed by the police in the United Provinces as to routes and timings before such processions were allowed to pass the King's highways?

(b) How many of the number asked in (a) were Hindu processions?

(c) How many of the number asked in (a) were Muhammadan processions?

(d) How many of the number asked in (c) were abandoned on account of the restrictions imposed?

(e) How many of the number asked in (b) were abandoned on account of the restrictions imposed?

The Hon'ble Sir Sam O'Donnell: Such information as it has been possible to collect so far is laid on the honourable member's table.

(See Appendices D and E, pages 457 and 478.)

COMMUNAL RIOTS.

*198. **Pandit Govind Ballabh Pant:** (1) Will the Government be pleased to give the following information regarding every communal riot that took place in this province during the last two years:—

(a) Time and place of the occurrence.

(b) Total number of casualties and the number of killed and injured in each community.

(c) Number of persons sent to or tried by criminal courts in this connexion from each community with the result of the cases tried.

(d) Names of the officers in charge of the district, sub-division, tahsil and police station comprising the place of disturbances.

(e) Names of government servants against whom action was taken departmentally or otherwise in this connexion.

(f) Immediate and ostensible cause of the riot?

(2) Will the Government be pleased to lay on the table the reports received from local authorities and the correspondence passed between them and the Secretariat in this connexion?

The Hon'ble Sir Sam O'Donnell: (1) Such information as it has been possible to collect is laid on the honourable member's table.

(2) Government regret that they are unable to do so as the reports are often of a confidential nature.

Mr. C. Y. Chintamani: May I ask if the information supplied to the Hon'ble Member, who put the original question, will be furnished to such other members as will require it?

The Hon'ble the President: The information will be published in the Council proceedings.

The Hon'ble Sir Sam O'Donnell: Anyhow I have no objection to supplying it.

Pandit Govind Ballabh Pant: May I thank the Government for having collected this information?

The Hon'ble the President: That is out of order.

Pandit Govind Ballabh Pant: May I inquire if the information furnished in the answer as to the immediate and ostensible cause of the riot and as to what the actual cause was has been furnished by the Government according to the information supplied by the local authorities or whether the Government had made any independent inquiries themselves?

The Hon'ble Sir Sam O'Donnell: In some cases we had to make inquiries and in others we had the information available.

Pandit Govind Ballabh Pant: In respect of the answer relating to the Congress workers referred to in sub-paragraph 7, may I know if the Government is in possession of all the names of these Congress workers?

The Hon'ble Sir Sam O'Donnell: No.

Pandit Govind Ballabh Pant: May I know if the Government is in a position to tell us whether these men were paid or unpaid workers?

The Hon'ble Sir Sam O'Donnell: I am afraid we have not got that information?

Pandit Govind Ballabh Pant: May I know if the Government is in a position to tell us whether these men were office-bearers of the Congress?

The Hon'ble Sir Sam O'Donnell: I am afraid I cannot give the information.

Pandit Govind Ballabh Pant: May I know what was the number of the people forming that band?

The Hon'ble Sir Sam O'Donnell: We have no information.

(See Appendices D and E, pages 457 to 478.)

ORDERS UNDER SECTION 144, CRIMINAL PROCEDURE CODE.

***199. Pandit Govind Ballabh Pant:** Will the Government be pleased to state how many orders under section 144, Criminal Procedure Code, were issued during the last twelve months to regulate or restrict the course of processions? Will the Government lay a copy of the said orders on the table?

The Hon'ble Sir Sam O'Donnell : One-hundred and fifty-three orders† were issued during the last twelve months. (Copies of the orders passed under section 144, Criminal Procedure Code, will be printed as an appendix to the Council Proceedings, as owing to their bulk it has not been possible to print them in time for being laid on the table of the honourable member.

(See Appendices D and E, pages 457 to 478.)

RELIGIOUS PROCESSIONS.

***200. Pandit Govind Ballabh Pant :** Will the Government be pleased to lay on the table a list of the places in the province where religious processions have not been organized as a protest against the restriction imposed by the local authorities on their free movement during the last two years ?

The Hon'ble Sir Sam O'Donnell : Government have provided, so far as they could, a list of the places where religious processions were not taken out, but they cannot say in what instances this was due to restrictions imposed. The list is placed on the honourable member's table.

(See Appendices D and E, pages 457 to 478.)

COMMUNAL RIOTS.

***201. Hafiz Muhammad Ibrahim :** Will the Government be pleased to say how many communal disturbances have occurred in these provinces during the last five years ?

The Hon'ble Sir Sam O'Donnell : From the information so far available, the number of communal disturbances that have occurred during the last five years is 89.

***202. Hafiz Muhammad Ibrahim :** Will the Government be pleased to lay on the table detailed information about these disturbances in a tabular form as given below :—

Place.	Date.	Number of wounded.		Number of deaths.	
		Hindus.	Muslims.	Hindus.	Muslims.

The Hon'ble Sir Sam O'Donnell : Such information as it has been possible to collect is laid on the honourable member's table.

(See Appendices D and E, pages 457 to 478.)

COMMUNAL RIOTS.

***203. Lala Nemi Saran :** (a) At which places did riots break out between the Hindus and the Muslims during the year ending this September ?

†146 in number (seven were not available to Government).

(b) What was the death roll in each riot of each community? What is the estimated loss of property in each riot? How much Government money was spent in prosecuting the offenders in these riots?

The Hon'ble Sir Sam O'Donnell: Such information as it has been possible to collect is laid on the honourable member's table.

(See Appendices D and E, pages 457 to 478.)

ORDERS UNDER SECTION 144, CRIMINAL PROCEDURE CODE.

***204. Babu Uma Shankar:** (a) Will the Government be pleased to state the places where orders under section 144, Criminal Procedure Code, were issued imposing restrictions on *Arya Samaj Nagar Kirtans*, *Ramlila* and other Hindu processions in these provinces including Dehra Dun *Ramlila* since 1925?

(b) Will the Government be pleased to state the reasons why such restrictions were imposed?

(c) Will the Government be pleased to state the places and years where on account of the said orders *Nagar Kirtans* or *Ramlila* or other Hindu processions were either stopped or not taken out at all?

(d) Will the Government be pleased to state whether any action was taken against persons who threatened a breach of the peace which necessitated orders under section 144, Criminal Procedure Code? If not, why not?

(e) Will the Government be pleased to state the places and years where communal riots took place during the time of *Arya Samaj Nagar Kirtans*, *Ramlila* or other Hindu processions since 1925 including Dehra Dun *Ramlila* riots?

(f) Will the Government be pleased to state if the non-Hindus were prosecuted for committing riots during the passage of the *Arya Samaj Nagar Kirtans*, *Ramlila* or other Hindu processions since 1925? If so, when, where, the number of non-Hindus prosecuted and with what result?

The Hon'ble Sir Sam O'Donnell: (a), (c), (d), (e) and (f) Such information as it has been possible to collect so far is laid on the honourable member's table.

(b) To prevent a breach of the peace.

(See Appendices D and E, pages 457 to 478.)

***205. Babu Uma Shankar:** (a) Will the Government be pleased to state whether any orders under section 144, Criminal Procedure Code, imposing restrictions regarding regulation of processions were issued at the time of Muharram or other Muhammadan processions in these provinces since 1925?

(b) Will the Government be pleased to state the places and years where riots took place during Muharram or other Muhammadan processions since 1925?

The Hon'ble Sir Sam O'Donnell: Such information as it has been possible to collect so far is laid on the honourable member's table.

(See Appendices D and E, pages 457 to 478.)

COMMUNAL RIOTS.

*206. **Khan Bahadur Shaikh Saiyid Muhammad** : (a) Will the Government be pleased to state the number of communal riots that took place in the United Provinces of Agra and Oudh during the last three years, also the names of the places where these riots took place ?

(b) Will the Government be pleased to state the number of killed and injured Muslims and Hindus at each riot ?

The Hon'ble Sir Sam O'Donnell : Such information as it has been possible to collect is laid on the honourable member's table.

Khan Bahadur Maulvi Fazl-ur-Rahman Khan : What steps have Government taken to stop these communal riots ?

The Hon'ble Sir Sam O'Donnell : Every district officer is continuously engaged in trying to mitigate tension and to compose differences.

(See Appendices D and E, pages 457 to 478.)

DEGRADATION OF RAGHUNATH SAHAI, JUDICIAL MUHARRIR,
BULANDSHAHR.

*207. **Pandit Nanak Chand** : (a) Is it a fact that before framing charges and calling for the explanation from Raghunath Sahai, muharrir, judicial, Bula. d-hahr Mr. Nisar Haider Zaidi recommended his degradation from Rs. 40 to Rs. 35 ? Was this same punishment awarded after getting the explanation of the official on eighteen charges framed against him ?

(b) Is it a fact that one of the charge against him was to the effect that he had tampered with the dates and orders on the order sheets ? If so, what was the explanation of Raghunath Sahai on this charge ? Was any inquiry made in connexion with the allegations made in the explanation ? If not, why ?

The Hon'ble Sir Sam O'Donnell : (a) When irregularities came to light, the sub divisional officer recommended that it would not be safe to keep this muharrir in any responsible post in future, and that it would be better to try him as copyist on Rs. 35. The collector suspended the muharrir. His ultimate punishment, after his explanation had been taken on 17 charges, was reduction to the Rs. 35 grade as assistant record-keeper.

(b) Yes. A copy of the explanation is laid on the honourable member's table. The allegations in that explanation were not investigated, as they were clearly false as appeared from the handwriting of the alterations.

(See Appendix F, page 584.)

SUSPENSION OF SUB-INSPECTOR THAKUR TILAKDHARI SINGH OF
GHAZIPUR.

* 208. **Chaudhri Dharamvir Singh** : (a) Is it a fact that a sub-inspector, Thakur Tilakdhari Singh of Ghazipur, was suspended on or about January 6, 1926, and remained as such till March 17 or 18, 1927 ?

(b) If so, why ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) His conduct was under inquiry.

Thakur Shiva Shankar Singh : Is it a fact that the superintendent of police ordered the circle inspector and the sub-inspectors Abdul Salam and Thakur Tilakdhari Singh to be suspended and the order of suspension about the first two was cancelled within an hour?

The Hon'ble Lieut. Nawab Muhmamad Ahmad Sa'id Khan : I am not aware about the first two, but I know that the last named person was suspended.

Thakur Shiva Shankar Singh : Is the Government aware that a statement was made in the court of the District Judge of Benares that sub-inspector Abdul Salam accepted a bribe of Rs. 500 to be given to the circle inspector?

The Hon'ble the President : How does it arise out of the question on the notice paper? It is a fresh question.

***209. Chaudhri Dharamvir Singh :** (a) Is it true that he was reinstated from the date of his suspension?

(b) If so, how and why?

(c) Will the period of his suspension count towards his pension?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) Because the charges against him were not established.

(c) Yes.

***210. Chaudhri Dharamvir Singh :** Was the sub-inspector informed of the charges levelled against him?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No; because the proceedings against him were dropped.

***211. Chaudhri Dharamvir Singh :** Was his explanation of the charges, if any, taken from him?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Does not arise.

***212. Chaudhri Dharamvir Singh :** What is the rule regarding the stationing of suspended police officers? Are they to be kept in police lines or at any other place at the will of the superintendent of police?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The honourable member is referred to paragraph 466 of the Police Regulations.

***213. Chaudhri Dharamvir Singh :** Is it a fact that (a) the above sub-inspector was kept, after suspension, in the police station Ghamar under a constant and vigilant guard, and (b) that the sub-divisional officer has made remarks in his inspection report about this? If so, what are the remarks?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) No.

(b) Yes. The remark was "Sub-Inspector Tilakdhari Singh is under suspension and is here since 6th instant, under surveillance probably."

*214. **Chaudhri Dharamvir Singh** : Will the Government be pleased to state the reasons of the sub-inspector being kept at Ghamar under a guard ?

The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan : Does not arise.

DEPUTATION OF KURK AMINS FOR THE REALIZATION OF TAQAVI.

*215. **Rai Bahadur Lala Jagdish Prasad** : (a) Is it a fact that sale officers (kurk amins) are deputed by the district authorities to realize *taqavi* and arrears of revenue in villages, as well as to perform other duties, which leave very little time to these officers to go at the proper time for distraint in execution of decrees and sale of distrained crops under the Agra Tenancy Act ?

(b) Is it not a fact that as a consequence thereof kurk amins generally do not go for the distraint and sale of crops till months after the orders for attachment, while in some cases till after the crops have actually been reaped, thereby rendering the object of distraint meaningless ?

(c) Is the Government aware that zamindars are put to a great hardship on account of the distraints and sales being not made in time and arrears of rent not realized from the tenants ?

(d) Do Government intend to issue proper orders to the district officers to the effect that the kurk amins be instructed to attend to the distraints and sales of crops under the Tenancy Act with due promptness ?

The Hon'ble Sir Sam O'Donnell : (a) The duties of a kurk amin are enumerated in paragraph 1023, Revenue Manual. These include the attachment and sale of property in realization of Government revenue (which includes *taqavi*). Kurk amins are not employed on other duties than those detailed in the Revenue Manual except occasionally when such employment will not interfere with the discharge of their legitimate duties.

(b) No.

(c) No. So far as is known zamindars are not put to any hardship.

(d) No. District officers already attend to this.

Rai Bahadur Lala Jagdish Prasad : Have the Government inquired from the district officers that the kurk amins do their work promptly and that the zamindars are not put to inconvenience ?

The Hon'ble Sir Sam O'Donnell : I do not remember whether we made any inquiry, but I believe that the answer given is correct.

Rai Bahadur Lala Jagdish Prasad : If an inquiry is made and if it is found that the kurk amins do not do their work promptly, will the Government consider the advisability of increasing their number ?

The Hon'ble Sir Sam O'Donnell : I think that if the honourable member has got any specific cases he will give particulars of those cases to the Government.

COMPLAINTS AGAINST FERRY CONTRACTORS IN MEERUT.

*216. **Chaudhri Vijai Pal Singh** : Is it a fact that several complaints against ferry contractors in Meerut district for dishonesty in extorting unauthorized fees from passengers have been made to the district magistrate and the chairman, district board, Meerut? Will the Government be pleased to state what action, if any, they have taken on those complaints?

*217. Has the Commissioner of Meerut division made any rules under section 12 of the Northern India Ferries Act of 1828? If the answer to the question be in the negative, is it the intention of the Government to issue instructions to the said commissioner to make rules under section 12 of the Northern India Ferries Act of 1828?

The Hon'ble Nawab Muhammad Yusuf : The honourable member should inquire locally from the district board who are responsible for the management of the ferry.

(a) Yes.

(b) Does not arise.

INSPECTION REPORT OF KING GEORGE'S MEDICAL COLLEGE, LUCKNOW.

*218. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to lay on the table a copy of the report of the representative of the British Medical Association who inspected King George's Medical College, Lucknow?

The Hon'ble Rai Rajeshwar Bali : Yes.

*219. **Dr. Shafa'at Ahmad Khan** : (a) Is it a fact that the college has been granted only temporary recognition for one year by the association?

(b) If so, what measures do the Government intend to take to make this recognition permanent?

The Hon'ble Rai Rajeshwar Bali : (a) The general medical council of the United Kingdom has recognized the college for two years.

(b) Government are taking steps to provide a new maternity hospital.

SECRETARY, DISTRICT BOARD, SAHARANPUR.

*220. **Chaudhri Mangat Singh** : Is the present secretary, district board, Saharanpur, lent to the board by the Government or appointed by the board itself?

The Hon'ble Nawab Muhammad Yusuf : The services of the secretary have been lent to the board by the Government.

*221. **Chaudhri Mangat Singh** : Did the Government ever order the secretary to retire? If so, when?

The Hon'ble Nawab Muhammad Yusuf : (a) No.

(b) Does not arise.

*222. **Chaudhri Mangat Singh** : Is he still a government servant?

The Hon'ble Nawab Muhammad Yusuf : Yes.

***223. Chaudhri Mangat Singh :** Has he ever been given extension of service by the commissioner? If so, how many times? And for what reasons?

The Hon'ble Nawab Muhammad Yusuf : (a) Yes.

(b) Three times.

(c) Because the secretary was physically fit and the commissioner considered that it was in the public interest to retain his experienced services.

***224. Chaudhri Mangat Singh :** Did the board express any opinion relating to the extension of his service? If so, how many times?

The Hon'ble Nawab Muhammad Yusuf : (a) Yes.

(b) Three times.

***225. Chaudhri Mangat Singh :** What was that opinion? Did the commissioner of Meerut division agree with the opinion of the board or not? If not, on what grounds?

The Hon'ble Nawab Muhammad Yusuf : (a) The opinion of the majority was against the retention of the secretary.

(b) No.

(c) The commissioner believes that the majority of the board were not dissatisfied with the work of the secretary but passed the resolution for reasons which should be well known to the honourable member.

***226. Chaudhri Mangat Singh :** Did the board protest against the interference of the commissioner in this matter? If so, with what result?

The Hon'ble Nawab Muhammad Yusuf : (a) Yes.

(b) The commissioner did not alter his decision.

INSPECTION OF THE OFFICE OF DISTRICT BOARD, BAHRAICH,
BY CHAIRMAN.

***227. Khwaja Khalil Ahmad Shah :** Will the Government be pleased to state the number of days the office of the district board, Bahraich, was inspected by the chairman? Who is the chairman? Is he an elected member or a Government nominee?

The Hon'ble Nawab Muhammad Yusuf : (a) Six.

(b) Sardar Autar Singh.

(c) He is a nominated member of the board.

Pandit Shri Sadayatan Pande : Will the Government say how many times did the chairman inspect the office and on what days?

The Hon'ble Nawab Muhammad Yusuf : I am not in a position to furnish this information from memory.

Pandit Shri Sadayatan Pande : Will the Government inquire and give the information?

The Hon'ble Nawab Muhammad Yusuf : I ask for further notice.

APPOINTMENT OF HEALTH OFFICERS IN MUNICIPALITIES.

***228. Pandit Bhagwat Narayan Bhargava :** Will the Government lay a statement before the House showing the municipalities, which

The Hon'ble Rai Rajeshwar Bali : A statement is laid on the table.

(See Appendix G, page 585.)

ASSISTANT SECRETARIES IN SECRETARIAT.

RIOTS BETWEEN HINDUS AND MUSLIMS.

5. **Khan Bahadur Hafiz Hidayat Hussain:** Will the Government be pleased to compile and place on the table a statement compiled in the following form relating to riots between Hindus and Muslims during the period from January, 1923, to October 31, 1927 :—

[illegible]

Kunwar Jagdish Prasad : Such information as it has been possible to collect is laid on the honourable member's table.

(See Appendices D and E, pages 457 and 478.)

ABANDONMENT OF HINDU PROCESSIONS.

6. **Pandit Nanak Chand :** Will the Government be pleased to lay a statement on the table showing the names of places where *Ramlila* or other Hindu processions had to be abandoned during the last three years on account of (i) threats of violence from the Muslims or (ii) restrictions imposed by the officials on the processionists?

Kunwar Jagdish Prasad : (i) Government have no information.

(ii) A statement is laid on the honourable member's table showing the processions which have not been taken out.

(See Appendices D and E, pages 457 and 478.)

7. **Pandit Nanak Chand :** [*Postponed at the request of Government till the first day of the next meeting.*]

DEFALCATIONS IN THE DISTRICT TREASURY AT MUZAFFARNAGAR.

8. **Pandit Nanak Chand :** Has there been any embezzlement or defalcation at Muzaffarnagar in the district treasury? If so, what is the extent and the nature of the embezzlement? What action, if any, is Government taking in this connexion?

Mr. E. A. H. Blunt : Yes. There was a loss of stamps of the value of Rs. 16,168-12, which has been made good by the treasurer. The treasurer's agent and the stamp vendor are in custody, and an officer of the Audit Department is examining the stamp accounts of the treasury. The Government are awaiting further details from the local authorities.

INTRODUCTION OF DRAWING IN INTERMEDIATE COLLEGES.

9. **Pandit Nanak Chand :** (a) In what Government intermediate colleges, if any, has the Government introduced the teaching of drawing as an intermediate subject?

(b) If the subject has not so far been introduced, then why?

Mr. Panna Lal : (a) None.

(b) There has been no demand for the subject.

APPOINTMENT OF M. L. CS. OF BULANDSHAHR TO THE ADVISORY COMMITTEE OF BULANDSHAHR GOVERNMENT WEAVING AND PRINTING SCHOOL.

10. **Pandit Nanak Chand :** (a) Is it a fact that none of the present M. L. Cs. of Bulandshahr district has been appointed on the advisory committee of Bulandshahr Government Weaving and Printing School? If so, why?

(b) Will the Government be pleased to lay a statement on the table showing the attendance at or absence from the meetings of the committee with their respective dates from the time when the committee was constituted?

(c) Do Government intend to remove the absentee members from the committee? If not, why?

(d) Do Government intend to so revise the constitution of the committee as to make all the present M. L. Cs. of the district to be its members? If so, when? If not, why?

Mr. Panna Lal : (a) Yes. There has been no vacancy on the committee since the present members of the Legislative Council were elected.

(b) A statement is laid on the honourable member's table.

(c) No. Government do not consider this advisable or necessary.

(d) The suggestion will be considered when the constitution of the committee is revised.

(See Appendix H, page 588.)

TRANSFERS OF OFFICIALS IN THE BULANDSHAHR COLLECTORATE.

11. **Pandit Nanak Chand :** (a) Were any transfers of ministerial officials in Bulandshahr collectorate made in connexion with the remarks of Mr. Howard, Inspector of Offices, who alleged that there were certain cliques among the officials? If so, were these transfers preceded by an inquiry as suggested by Mr. Howard? If not, why?

(b) How did the district magistrate obtain information against individuals about their participation in cliques and against how many officials has the fact of their being involved in cliques been noted in the respective orders of their transfers?

(c) Will the Government be pleased to lay a statement on the table showing the dates of transfers, names, pay and offices held before and after transfer of (i) all such officials who were transferred on account of their participation in cliques, (ii) all other officials transferred on equal pay from June, 1926, to July, 1927, including naib-tahsildars, supervisor qanungos, muharrir peshis of honorary assistant collectors and honorary magistrates?

Mr. Panna Lal : (a) Yes.

(b) The district magistrate as a result of his personal knowledge and after confidential inquiries transferred certain officials. No reasons for the transfers were stated in the orders; nor was it necessary for the district magistrate to do so. The transfers were in the interest of the public service.

(c) The answer is in the negative.

HORTICULTURE AND FRUIT TREE CULTURE.

12. **Babu Kavendra Narayan Singh :** Is it not the intention of the Government to have a small section of horticulture and fruit tree culture added to the Government agricultural farms at the headquarter of the district? If so, has Government any objection to open the sections at Benares?

Mr. Panna Lal : (a) Government are not able to establish horticultural sections at each farm at present. To do so successfully would involve the employment of a special staff of horticulturists in addition to the existing staff. Government are advised that efforts should, for the present, be concentrated in improvements of more immediate benefit to the cultivator.

(b) Does not arise.

CULTIVATION OF SUGARCANE IN THE DISTRICT OF BENARES.

13. Babu Kavendra Narayan Singh: Is not the cultivation of sugarcane in the district of Benares carried on on a sufficiently large scale in order to afford ample facilities for the establishment of a sugar factory? What objection has Government got to set up a centrifugal machinery there?

Mr. Panna Lal: There are 21 districts with a larger area of sugarcane than Benares and the claims of those with a very large area under sugarcane will have to be considered first.

14. Babu Kavendra Narayan Singh: [*Postponed at the request of Government till the first day of the next meeting.*]

HIGHEST EXPENDITURE IN GOVERNMENT INTERMEDIATE COLLEGE.

15. Babu Kavendra Narayan Singh: Will the Government be pleased to state which intermediate college is being run by the Government at the highest expenditure? What are the special advantages there? What is the number of students on the roll there this year?

Mr. Panna Lal: (1) The Queen's Intermediate College, Benares, has the highest gross expenditure; but it is one of the least expensive if we consider the net cost per pupil.

(2) It teaches the largest number of subjects, eleven of the intermediate curriculum.

(3) Two hundred in classes XI and XII of the college.

16. Babu Kavendra Narayan Singh: [*Postponed at the request of Government till the first day of the next meeting.*]

COURT OF WARDS OF THE KASHIPUR ESTATE IN BIJNOR.

17. Ohaudhri Dharamvir Singh: Will the Government be pleased to state if the following are facts:—

(a) That the Court of Wards on behalf of the Kashipur Estate in Bijnor district filed a suit for arrears of rent against one Kanhaiya Singh of village Barhapur and tenant of mauza Chuck Udai Chand.

(b) That the case was decided in favour of the Court of Wards of an amount of about Rs. 60 having been decreed against the tenant.

(c) That while the application for the execution of the decree was made, the tenant prayed for a period of two months to be allowed to him to enable him to pay the amount.

(d) That this period of two months was granted by the court.

(e) That subsequently without there being any application on behalf of the tenant for the remission of the rent but with the capacity and willingness of the tenant to pay the amount within the period allowed to him, the sarbarakar and the manager of the estate applied to the higher authorities for the remission of the amount on the ground of the amount being irrecoverable.

(f) That sanction having been obtained the full amount of about Rs. 60 was remitted on November 19, 1927?

18. If the answer to the foregoing question be in the affirmative, will the Government be pleased to explain the conduct of the sarbarakar and the manager in the matter?

19. Will the Government be pleased to state if it is fact that Fateh Singh, sarbarakar, Kashipur estate, Bijnor district, was removed from service by the then collector of Bijnor in March, 1926, and that he was again appointed on the same post by the next collector in October, 1926, and subsequently confirmed by Mr. Abu Muhammad, the officiating collector?

20. If the answer to the foregoing question be in the affirmative, will the Government be pleased to state reasons why Fateh Singh, sarbarakar, was first removed and then re-appointed and confirmed?

21. Will the Government be pleased to state for the last two years the number of carriages engaged for carrying luggage for officials who were in camp in the Kashipur estate under court of wards in Bijnor district and the amount of money, if any, paid as hire for the carriages engaged?

22. What are the educational qualifications of Fateh Singh, the present sarbarakar in Kashipur estate in Bijnor district?

23. What are the qualifications that a man should necessarily possess before he can be appointed as a sarbarakar? Does Fateh Singh, mentioned in the foregoing questions, possess these qualifications? If not, why has he been appointed as a sarbarakar?

24. Will the Government be pleased to state the total number of employees under court of wards serving in the Kashipur estate in Bijnor district, as also the number of such of them as are the relative of Fateh Singh, sarbarakar?

25. Will the Government be pleased to mention the amount of expense incurred by the court of wards in fighting a case against Pandit Sital Prasad who was the sarbarakar of Kashipur estate in Naini Tal district?

Mr. H. A. Lane: Government have no information and consider that matters of the kind may safely be left to the court of wards and the local authorities.

HONORARY MAGISTRATES ON THE BENCH OF DHAMPUR TOWN.

26. **Khan Bahadur Maulvi Fasih-ud-din:** How many honorary magistrates are there on the bench of the Dhampur town in the Bijnor district, and what are the castes of the gentlemen?

Mr. R. L. Yorke: Two. They are both Banias by caste.

27. **Khan Bahadur Maulvi Fasih ud-din:** (a) What is the proportion of the Hindu and Muslim residents of that town?

(b) Is it a fact that there is no Muslim on the bench? If so, why?

Mr. R. L. Yorke: (a) The Hindu population is slightly larger than the Muslim population.

(b) Yes. Government have received no proposal for the appointment of a Muslim magistrate on this bench.

28. and 29 **KHAN BAHADUR MAULVI FASIB-UD-DIN:** [*Postponed at the request of Government till the first day of the next meeting.*]

DEPUTY COLLECTORS IN KUMAUN.

30. **Khan Bahadur Maulvi Fasih-ud-din** : How many deputy collectors are there in Kumaun who do civil work ? How many of them have passed the LL. B. or vakils' examination ?

Kunwar Jagdish Prasad : The honourable member is referred to the Civil List.

MIXED HINDU-MUSLIM PRIVATE SCHOOL AT AONLA, DISTRICT BAREILLY

31. **Khan Bahadur Maulvi Fasih-ud-din** : Is it a fact that there is a mixed Hindu-Muslim private school at Aonla, district Bareilly, with Lala Pyare Lal as its president and Hakim Mustafa Ali Khan as its secretary, which teaches up to the middle standard and is recognized by the department ?

Mr. Panna Lal : Yes.

32. **Khan Bahadur Maulvi Fasih-ud-din** : Is a fact that its building has cost the residents about Rs. 30,000 ? If so, what amount has been contributed on behalf of the Government ? If none, why not ?

Mr. Panna Lal : Government have no information as to what the existing school building cost the residents. They have not yet given any building grant to the school as no application for a building grant was made to them.

33. **Khan Bahadur Maulvi Fasih ud din** : What recurring aid is being given by the Government for this school ? Is it the intention of the Government to give the necessary non-recurring and recurring aid to this school ?

Mr. Panna Lal : The question of a recurring grant is under consideration. Applications for non-recurring grants will be examined when received.

TITLE-HOLDERS IN THE KUMAUN DIVISION.

34. **Khan Bahadur Maulvi Fasih-ud-din** : How many people hold titles in each of the districts of Kumaun division ?

35. How many of them are Muslims and how many non-Muslims in each of the three districts of Kumaun ?

Kunwar Jagdish Prasad : The honourable member is referred to the Civil List.

RELEASE OF NANPARA ESTATE FROM THE COURT OF WARDS.

36. **Khan Bahadur Maulvi Fasih-ud-din** : When was the Nanpara taluqa released from the court of wards ?

Mr. H. A. Lane : The Nanpara estate was released from the management of the court of wards on the forenoon of the 3rd November, 1925.

37. **Khan Bahadur Maulvi Fasih-ud-din** : What cash was left at the time of the release ?

Mr. H. A. Lane : Rupees 73,132 was actually left in cash, but Rs. 7,57,348 including the value of securities was paid to co-sharers including Raja Sa'adat Ali Khan.

38. **Khan Bahadur Hafiz Hidayat Hussain** : [*Postponed at the request of Government till the first day of the next meeting.*]

COMMUNAL RIOTS.

39. Thakur Gulab Singh : Will the Government be pleased to state the names of the towns or cities where communal riots took place in 1922, 1923, 1924, 1925, 1926, and 1927 up to September 30 ?

Kunwar Jagdish Prasad : Such information as it has been possible to collect is laid on the honourable member's table.

(See Appendices D and E, pages 457 and 478..... to)

40. Thakur Gulab Singh : Who were the district magistrates, superintendents of police, and the city kotwals at the times of riots in these places ?

Kunwar Jagdish Prasad : Such information as it has been possible to collect is laid on the honourable member's table.

(See Appendices D and E, pages 457 and 478 to)

GOVERNMENT INTERMEDIATE COLLEGES.

41. Thakur Gulab Singh : Will the Government be pleased to state—

(a) the number of places where Government intermediate colleges are opened;

(b) the number of scholars on the roll in those colleges in classes XI and XII on August 1, 1927 ;

(c) the cost of the staff per mensem employed for these two classes of each place separately ;

(d) the amount of fees realized per month from the students of classes XI and XII in each college ?

Mr. Panna Lal : A statement is laid on the table of the honourable member.

(See Appendix I, page 587.)

MOTIONS FOR ADJOURNMENT.

The Hon'ble the President : Just as I was coming to occupy the Chair this morning a paper was put into my hands on behalf of Babu Chhail Bihari Capoor in which he wishes leave to move a motion for adjournment to discuss a definite matter of urgent public importance. According to him, it is a matter relating to answers that were given by the Government yesterday to a number of important questions arising out of the recent communal disturbances in Bareilly. (I am using his own language). He says that as Government did not give answers, as a resolution was coming up before the House yesterday, the Government has to an extent trespassed on the privileges of the House, and this he wishes to discuss as a definite matter of urgent public importance. If my memory does not fail me, the Government member who replied to the questions said definitely that if these questions are tabled again and if the resolution is not reached, answers will be given. As a matter of fact, that resolution is on the agenda even today and if the House disposes of the business earlier and reaches that resolution, it will have time for discussing that resolution. There are other ingredients also lacking in this notice which are necessary for a motion of that character. I therefore do not consider this motion to be in order.

The Hon'ble the President: Honourable members will remember that there were several divisions yesterday and in one of them, perhaps the last but one, when a motion for closure was moved, an honourable member, whom I shall not name, voted twice on the same side. He voted for "Ayes," that is for the adoption of the closure. Counting that vote the result was: 40 on one side and 33 on the other. If this vote is deducted, the result, is 49 on one side and 33 on the other. So the result is not affected at all. I hope honourable members will be more careful in handing over their votes.

ALLOTMENT OF A DAY FOR NON-OFFICIAL BUSINESS.

The Hon'ble Sir Sam O'Donnell: I have to announce, Sir, that His Excellency the Governor has allotted tomorrow, the 22nd, also for non-official business.

Mr. C. Y. Chintamani: Is it permissible to make any statement on that?

The Hon'ble the President: It is not permissible to make any statement. The Hon'ble the Finance Member has made a statement. If the honourable member wants to put a question it can be put. Otherwise, no statement can be made.

Mr. C. Y. Chintamani: I wish to make a statement of explanation.

The Hon'ble the President: There is no question of explanation. The Hon'ble the Finance Member has made an announcement.

Pandit Govind Ballabh Pant: May I put a question?

The Hon'ble the President: Yes.

Pandit Govind Ballabh Pant: Is the Hon'ble the Finance Member aware there are some public functions that are to be held at considerable distances from Lucknow within the course of the next few days and in connexion with them it is necessary and incumbent on some of the members of this House to leave Lucknow today or tomorrow?

The Hon'ble Sir Sam O'Donnell: I do not know anything as to what is necessary or incumbent on honourable members of the Legislature as regards the attending of meetings.

Rai Bahadur Lala Mathura Prasad Mehrotra: Has any non-official agenda been fixed for tomorrow? Will there be a separate ballot for tomorrow?

The Hon'ble the President: Is that question addressed to the Chair or to the Hon'ble the Finance Member?

Rai Bahadur Lala Mathura Prasad Mehrotra: To the Chair, Sir, and, through the Chair, to the Hon'ble the Finance Member. All questions are put to you, Sir, and, through you to the Government.

The Hon'ble Sir Sam O'Donnell: The ballot is not held by me. But I do not see that a ballot can be held in such circumstances.

Pandit Bhagwat Narayan Bhargava: Will the Hon'ble the Finance Member be able to tell us whether the additional day allotted for non-official business is meant for the passing of the Bill which is under discussion before the House?

The Hon'ble Sir Sam O'Donnell: The day has been allotted simply for non-official business.

Pandit Bhagwat Narayan Bhargava : Does the Hon'ble the Finance Member know the reason why this extension has been made ?

The Hon'ble Sir Sam O'Donnell : The allotment of days is made by His Excellency the Governor. I can only answer questions addressed to Government.

Pandit Bhagwat Narayan Bhargava : Did the Hon'ble the Finance Member make a recommendation to the Governor to extend the days ?

The Hon'ble Sir Sam O'Donnell : That is a question which I am not prepared to answer.

Mr. C. Y. Chintamani : May I inquire whether you will be pleased to hold a ballot for that day ?

The Hon'ble the President : There is no time for holding a ballot; but under standing order No. 8 any business which remains undisposed of can be taken up the next day available for the same class of business, so that if there is any business which remains undisposed today it will be taken up tomorrow.

Mr C. Y. Chintamani : May I further request you, Sir, to permit me to appeal to you as the official guardian and protector of the rights and liberties of this Council to tell us as to what we are to do against the arbitrary action of arbitrary Government ?

The Hon'ble the President : That is a question which cannot be answered by the Chair^{off}hand.

Thakur Manjit Singh Rathor : Might I ask if the Government take into account the convenience of non-official members when they allot non-official days ?

The Hon'ble Sir Sam O'Donnell : The Government does not allot days.

Rai Bahadur Lala Mathura Prasad Mehrotra : If the whole business is finished today what will be fixed for tomorrow ?

The Hon'ble the President : Wait and see.

Pandit Govind Ballabh Pant : May I know if in the special circumstances of the case and in consequence of this statement made by the Hon'ble the Finance Member you will permit me to move the adjournment of the House at 4 o'clock this evening in order to discuss this statement that we all feel to be an arbitrary exercise of certain powers, and further, that it is very inconvenient and perhaps not possible for some of us to attend the meeting tomorrow. As some very important business is likely to be transacted tomorrow, we think that it is due to our regard for the importance of that business that we should move for the adjournment of the House at 4 o'clock today. It was impossible for me to give notice of this motion immediately the questions were over, as we did not know what was in the mind of the Hon'ble the Finance Member then.

The Hon'ble the President : The honourable member for Naini Tal has raised some important constitutional issues and at the spur of the moment the Chair does not like to make a statement which will definitely commit the Chair or create a precedent of any kind in the matter.

So whatever I may have to observe will be as as a special case and without due deliberation. Honourable members know that under the rules of the United Provinces Legislative Council, it is for His Excellency the Governor to allot days for non-official business having regard to the state of the non-official business pending, and I understand from the statement of the Hon'ble the Finance Member that His Excellency the Governor has exercised that discretion in exercise of that authority vested in him. According to the rules, again, a motion for adjournment can only be made on a matter on which a resolution can be moved or discussed and this is obviously a matter on which a resolution cannot be moved. Therefore these are the handicaps in the way of my granting the motion for adjournment. I quite admit and concede from the Chair that is generally customary for Government to have regard for the convenience of members, but for that matter the Chair cannot certainly intervene. It is a matter of private courtesy and arrangement. If the Hon'ble the Finance Member or other influential members can by mutual arrangement come to any amicable understanding the Chair will welcome it the most. This is all I would like to say.

Mr. C. Y. Ohintamani: May we know how we are to give notice of questions for tomorrow? As we never knew that there was going to be a meeting tomorrow we did not give notice of questions. How do we stand in respect thereof?

The Hon'ble the President: Honourable members know very well that ten days' notice for questions are given and the last day when questions were received and admitted was on the 9th. It is not necessary that no meeting of the Council can be held without questions. I do not see the point of the honourable member.

Babu Chhail Bihari Capoor: Since there are no questions to be answered and as the present arrangement will continue, will the Hon'ble the Finance Member answer the Bareilly questions tomorrow?

Babu Bhagwati Sahai Bedar: May we know as to when we shall know what business will be conducted tomorrow?

The Hon'ble the President: We must now pass on to the business on the agenda ; aper.

Mr. C. Y. Ohintamani: Under clause (1) of standing order No. 19A, I wish to make a motion which requires no notice, but under the special circumstances which have arisen I beg to move that the House be adjourned.

The Hon'ble the President: This is exactly or practically what the honourable member for Naini Tal said a short time ago. I am afraid I cannot permit that.

Mr C Y. Ohintamani: But that was under a different rule.

The Hon'ble the President: In exercise of my discretion, I cannot permit this motion. It would be practically discussing the same matter.

THE AGRA PROVINCE ZAMINDARS' ASSOCIATION CONTRIBUTION BILL.

The Hon'ble the President: The Next item on the agenda is, "Consideration of the Agra Province Zamindars' Association Contribution Bill." According to the usual practice we shall take up the preamble and short title last of all. Clause 2.

Babu Bhagwati Sahai Bedar : Since I have got to make a large number of amendments to this preamble I ask that as a special case my amendments may be taken up first.

The Hon'ble the President : Order, order.

CLAUSE 2.

Question that clause 2 stand part of the Bill, put and agreed to.

CLAUSE 3.

Babu Bhagwati Sahai Bedar : I beg to move that in clause 3 for "the following persons" in line 1, *substitute* "all members of the association other than honorary members," *substitute* a "full-stop" for the "comma" at the end of line 4, and *delete* the remainder of the clause.

In moving this amendment I have to say that the purpose of the mover of the Bill can very well be served if only the words "all members of the association other than honorary members" are retained and the rest of the clause is deleted. The second part of this clause "the heirs, successors, and assigns of such members, provided that such, etc., etc" seems to be quite superfluous, because it is not our purpose to bind down those over whom we shall have no control in future. If these words are retained, they impose a great hardship on the sons and children of those very persons who are framers of this law to day irrespective of the fact whether those sons differ from their fathers or not : that is to say, the sins of their fathers must visit them,

The Hon'ble the President : The object of the honourable member's amendment seems to be the deletion of part 2 of this clause. Would it not be better that the amendments which are designed to improve the clause should be taken first, because the real object of the amendment seems to be to delete the words "the heirs, successors, and assigns of such members, provided, etc."

Babu Bhagwati Sahai Bedar : Yes, Sir.

The Hon'ble the President : In that case I will call on the honourable member later. The debate on this amendment will stand postponed.

Rai Bahadur Lala Jagdish Prasad : I move that in clause 3, lines 3 and 4, for the words "during the continuance of the association" *substitute* the words "during their continuance as members of the association."

This clause provides that certain persons shall be liable to contribute to the funds of the association during the continuance of the association. What I want is that all persons who may be thus liable to contribute must be members of the association and that they would be liable to contribute to the funds of the association only so long as they are members of the association and not otherwise. I have subsequent amendments standing in my name which will make it clear that even the heirs, successors, and assigns of members should be liable to contribute only if they accept the membership of the association and that every member should have a right of resignation. So that by the substitution of these words, I only seek to provide that a

member should be liable to contribute to the funds of the association only as long as he is a member of the association and not as long as the association continues in existence.

Pandit Mul Chand Dube : The main point in favour of the Bill, as has been pointed out by the supporters of the Bill, is that it is based on the consent of the existing members. Therefore, to bind down the heirs and successors for which there is no provision in the Bill that they would, as a matter of course, or as a matter of compulsion be members, would be utterly unjustified. There does not seem to be any provision in the Bill that those who will be bound to contribute will also be bound to be members. Besides, only those persons are bound to contribute who are under the existing electoral rules eligible to be the electors for the Agra Landholders' Constituency. The question is, what is going to happen if the present electoral rules are changed or altered? If the franchise is widened, what is going to happen then? It may be said that the rules of the association will also be widened and those persons will also be entitled to become members who will thus be entitled to the electoral right under the new altered electoral rules. The position, therefore, will be that persons who become qualified by the new electoral rules will be bound to contribute, but the question is, whether they will also be bound to be members. It will be a novel procedure to compel persons to become members of an association with the aims and objects of which they may not agree. I, therefore, with these few words support the amendment.

Pandit Nanak Chand : The rules of this novel, peculiar, and beautiful Agra Province Zamindars' Association, while it professes to be an association composed of members who voluntarily join this association, do not provide anything, by which a member who has once been drawn into the net of this association can ever extricate his neck out of the association's noose, if he so chooses to do, by severing his connexion from the association with a view to cease to be its member. Every association which is formed on a voluntary basis provides that a member will have the option of resigning his membership. Of course, there is one way provided in the rules by which the members of this honourable association can cease to be honourable members, that is if they are considered to be worthy of removal from its membership. If the members of this association think that some member is unpalatable from their point of view or is inconvenient to the association, then such member can receive the compliment of being removed by the association from its membership. I beg to submit that this is a very novel and funny position for an association which boasts or claims to be an association organized on the basis of voluntary membership which does not permit them to resign their membership and cease to be members of the association, if and when they choose to do so.

The amendment which has been moved by my honourable friend from Muzaffarnagar wants to go out of the rules and regulations of the association: he wants to provide an alternative for such members as may become members of this association by the force of this amendment to be able to get out of the membership of this association, if any, so decide. I do not know whether he is right and whether it is within the competence of this House to

[Pandit Nanak Chand.]

provide a thing which is not already provided in the rules and which is contrary and repugnant to the rules and regulations of the association which are undoubtedly binding on the association. It is doubtful whether even if this amendment is passed by this House it will have any binding and legal force upon the association. The association which is a registered body is, I understand, bound by its rules and regulations. I personally consider that if this freedom can be given to the members of this association, it should not be denied and from that point of view I am whole-heartedly in agreement with the purport of the amendment. I think if this amendment is adopted, it will give a certain amount of freedom, provided it can be enforced even in spite of the rules and regulations of the association to the contrary: it will enable the members to remain as such or cease to be so on a purely voluntary basis. With this object in view I support the amendment of my friend.

Mr. Muhammad Habib: I have only two suggestions to make against the amendment proposed by my honourable friend on the right. Though this association is known as the Zamindars' association, it is really a trade union and its real purpose is to build up an aristocracy in the province of Agra on the same lines as the aristocracy in the province of Oudh. Now, Sir, if you keep that point in view, the amendment that every member, who so desires, can, whenever he likes, resign his membership of the association goes against the vital principle of the association itself. The right of resignation, if you accept the principle of an association at all, should not be given either to the members or, except under strong conditions, to the assignees or the heirs of the members. The idea, I believe, is to organize the zamindars of the province of Agra on the same lines as the Oudh taluqdars. Now, Sir, as we all know, the landowners, if they have the status of a taluqdar, cannot resign that dignity. He may become very poor but even then he remains a taluqdar; once a taluqdar, always a taluqdar. I think in the Bill before us the right of resignation should not be given to a zamindar once he has become a member. Secondly, if the members of the association are allowed to resign whenever they like, and then again become members whenever they like—because I believe the right of resignation will go along with the right of becoming a member again—why go and trouble the State at all, and strain the machinery of the Revenue department for collecting subscriptions from members, who may be there for a very short time and can resign at their own sweet will? Now, Sir, if the principle of this Bill is accepted, it must be organized on lines that will enable it to work. As one of those who are not at all personally concerned in the measure, I do feel that the amendment now before the House goes against the vital principle of the association, and will in the end make the association utterly unworkable.

Thakur Manjit Singh Rathor: I have great pleasure in according my support to the amendment. One of the very pernicious provisions in this Bill is that the membership of this association is practically enforced upon those who once become members. What we desire is that all should have perfect liberty to become members, and be equally free to cease to be members the moment that they begin to have any difference of opinion. But what the Bill desires is to legalize the

enforcement of membership when once a person has joined it. So that if a person joins it he cannot ever resign during his life-time, nor can his heirs escape the liability to pay to the association. If the member refuses to pay his subscription as a protest that he cannot resign, then the whole machinery of the Government is utilized to collect and he will be liable to arrest. Not only that, but his heirs, successors, and assigns will have to undergo the same hardship on account of the extra zeal of their forefathers in becoming members. This is one of the principles on account of which this Bill is not at all popular with the members of this Council. If it had been referred to a Select Committee I have no doubt that such irregularities would have been removed and the Bill would then have come before us in a more acceptable form. But since the Bill must be considered without being sent to a Select Committee, I say that the motion of Rai Bahadur Jagdish Prasad is a very necessary one. The words which he wants to substitute are "during their continuance as members of the association." I think the amendment is sound because under its provisions a member would be liable to pay only while he was voluntarily a member of the association. The minute he ceases to be a member he will be no longer liable to pay. I think a more reasonable and sensible amendment could not possibly have been found. Besides this, if we look at clause 3 we will find that the association appears to have a very temporary, ephemeral existence if the phraseology of clause 3 is allowed to stand. It says that the persons shall contribute to the funds of the association "during the continuance of the association." The very fact that these words find place shows that the association is not likely to last for more than a few years. That means that the association has a very shaky existence; it has no solidarity behind it. If you change the wording of the clause and delete these words you make a certain amount of stability at least in appearance. If you do delete these words and allow the addition of the words of the amendment to be made you improve the clause in a distinct manner. Not only do you improve the clause so that members contribute only so long as they are members, but you also give freedom to members to resign whenever they like to do so. Therefore I think that the amendment is a very sound, reasonable, and necessary one and with these few words I support the amendment.

Khan Bahadur Mr. Masud-ul-Hasan: I think that the amendment goes to the very root of this legislation. If this amendment is accepted, the Bill might as well be thrown out. It says "during their continuance as members of the association." It has been said that liberty should be given to members to remain members if they choose, or get out whenever they like. But nothing has been said as to why a principle like this was adopted when the Taluqdars Association Bill was made into law. A taluqdar remains a taluqdar for ever. He cannot resign; he has to pay contribution perpetually according to the rules. I do not see therefore why any zamindar of the Agra province should not be given the same privilege. It has been said that a man who wants to become a member of the association must have liberty of action. But we know that legislation is made for the benefit not of a few, but for the benefit of the whole community, even if a little hardship is caused to a few. It is not necessary that the principle of

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liberty should be observed in such a manner as to do away with the real object of a measure however beneficial it may be to the whole community. Therefore my submission is that, if we substitute these words that have been suggested, the object of this Bill will be defeated. It is in the interests of the zamindars themselves that they should have an association for their own benefit, and if a few are not prepared to have it well they need a law to promote their own interest. I do not suppose that on account of a very small payment there will be any great hardship or outcry and as far as the zamindars themselves are concerned they are not prepared to make any objection to this provision. It is only those sympathizers of the zamindars who have to pay nothing who are objecting. I do not see the force of their objections that have been made, those who are really not concerned with the payments which the zamindars have to make and therefore in my opinion there are no sound reasons for accepting this amendment.

Mr. A. P. Dube: The honourable member who has just spoken has said that those who have no interest in the Bill are opposing the passage of this Bill in this House. I hope he does not wish to start the theory that when a business of this sort is before the House it at once becomes a peculiar business of a particular section of the zamindars—the zamindars of the province of Agra—to deal with it, that all the members *ipso facto* become temporarily defunct and that they have no duties to discharge. Therefore I submit that his contention is absolutely based on no principle at all and that we all have a right to discuss this Bill on the merits. He also said that in proposing the amendment the honourable member from Muzaffarnagar was hitting at the very fundamental principle of this Bill. Unfortunately there is nothing in the Bill at all. From whichever side you touch it, it crumbles, and it is no fault of the honourable member for Muzaffarnagar this his amendment at once attempts to kill the Bill. Sir, nobody is so blind as one who having eyes will not see, and this is the case here, the way in which the Bill is pushed through the House. The members—they will pardon me—the members of the zamindar section who are rushing this Bill through, appear to me like a horse who having got an opportunity gets out of control, takes the bit in his mouth and bolts for all he is worth. This state of things does not put them in a reasonable frame of mind to consider the just amendments that are put before them by the members of the House. Sir, this liability which is being inflicted on the heirs, successors, and assigns of a member is, when you think of it, a most extraordinary liability which it is being tried to fasten upon them. There is a saying, that the sins of the father are visited upon the children, and the very mention of this statement shows that there must be something wrong in the matter. This thing, the liability going from one person to another, has been hedged round by a number of provisions, and one of the provisions dealing with this is the law against perpetuity. You cannot have a thing in perpetuity unless some of the conditions imposed by the law of perpetuity have been satisfied. One of the objects, as I pointed out, when I was dealing with the principle of the Bill, is that there must be a public or charitable object. That public or charitable object is nowhere to be found and one of the amendments yet to be considered tries to introduce it later on. I have tried to

rack my brains to find some analogy to this extraordinary Bill in the jurisprudence of the world as far as I know of it, and the only thing that I could recall to my mind is the provision in the Roman law of succession. There the idea was that if a person had more debts than assets then it became very difficult for an heir to accept the heritage. An heir under the Roman law would not take an estate in which there were greater liabilities than the assets because under the law of debts then obtaining a man could in the execution of the law of debt be taken a prisoner, taken across the Tiber and sold and even be killed. Therefore, this sort of heritage was termed a *damnosa hereditas*. When no heir came forward to take it up, then he had to be compulsorily succeeded by a slave. This is the sort of heritage that is now being inaugurated under the provisions of this Bill. A member once a member is always a member; once a member his heirs, successors, and assigns also are members of this wonderful association under this wonderful legislation. I have tried to use all my force in opposing this Bill; but the Bill is going forward merrily and the whole thing is going to be finished in two days. Committees are not wanted, discussion is not wanted, and legal advice is not wanted. The Bill is going forward like a hot roll. The members might as well try to take the amendments that are being proposed before the House in a proper spirit. Otherwise the result will be that this Bill will collect a large amounts of case-law round it and when it will be found unworkable perhaps somebody will come forward in this sovereign Legislature which is not bound by the previous enactments which it has passed, and may think fit to repeat it.

It has been said by one honourable member that the aristocracy of the province of Agra is attempted to be brought into line with the aristocracy of the province of Oudh. I have said before that imitation is the sincerest form of flattery. But imitation sometimes leads to dangerous situations. If the zamindars of the province of Agra will pardon my coarse reference I would tell them that the jackdaw in the fable looked ridiculous in its attempts to imitate the peacock. The ape who saw a bird fly out of a basket broke his neck when he stepped into the basket and jumped into the air to fly. I say to the aristocrats that if you want a special legislation you will have to win a special place in the hearts of people, you will have to win a place in the hearts of the nation in which you live. The aristocracy in every country has won its place of honour because it has supplied the nation with leaders both in peace and in war time. Let the zamindars of the province of Agra say that they claim the privilege on account of the fact that they have supplied leaders to the country and have taken up the burden of the country on themselves. Now what special things have the members of the Agra association done in the matter? Is not their record practically nil. What are they doing now? What are these public objects which they have got before them now as the objects in fulfilling which they are going to serve the province? Looking into the Rules and Regulations I come upon column (b) which commences to "advise Government on all matters." What does it mean? Is it not ridiculous to advise Government on all matters. It goes on "to approach the Government most respectfully with a view to secure legislation, amendment and modifications to the Bill and other forms of administrative measures as

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may appear to the association deserving of support." Now, Sir, any one acquainted with politics knows that Government has advice in abundance. It is not the Government that is in need of advice. It gets it in abundance. This amendment which is proposed now is really an important amendment. As I said before, the zamindars have not earned the special legislation which they want, because they have nothing in their aims and objects which goes to show that the association is going to serve any public purpose which the province requires and which entitles them to have this special consideration. The zamindars have tried to show their power by rejecting amendments that are reasonable and sensible.

The Hon'ble the President: The honourable member had better address the Chair. When I say this. I do not mean that the honourable member should face the Chair, but should address the Chair. The word "you" should be used to mean the Chair.

Mr. A. P. Dube: It is said that this Bill should confer special powers on the members of the Zamindars' association. But may I know in what way the Zamindars' association has been serving the zamindars as such? In one clause it is stated,

The Hon'ble the President: Will the honourable member confine himself to the amendment before the House?

Mr. A. P. Dube: In that clause it is stated that only those zamindars can become members of the association who are already on the zamindars constituency. This means that those persons whose names do not appear on the zamindars' constituency are practically useless. In other words, the object of the Bill is that the association should feather its own nest. I, therefore, submit that, instead of rendering any service to the province, as the aristocracy has done in all other countries, it has nothing whatsoever to its credit.

The Hon'ble Sir Sam O'Donnell: May I know if the honourable member is relevant? I merely ask this as a matter of principle.

Mr. A. P. Dube: If the Hon'ble the Finance Member wants that I should make myself a little more clear, I shall endeavour to do so. Sir, the association ought to know that the power is filtering down. From the King it went down to the aristocracy, from the aristocracy it went down to the burgher class and now the tendency is that the power should pass on to the proletariat. In my humble opinion, the amendment proposed by the honourable member for Muzaaffarnagar is sound in principle. There is no point in binding the heirs and successors for all time to come to pay their contribution to the association. In the Bill there is no provision to the effect that a certain amount of the contribution should be devoted to such and such charity.

The Hon'ble the President: The honourable member should avoid a repetition of all previous arguments.

Mr. A. P. Dube: To try and bind the heirs and successors in this way for all time to come is against common sense. It is an attempt to prevent the filtration of the power to the masses; it is an effort to bolster up a lost cause, a cause of the bureaucracy, which has never deserved well of the province. With these words I support the amendment moved by my honourable friend, Rai Bahadur Lala Jagdish Prasad.

Khan Bahadur Maulvi Fazl-ur-Rahman Khan : I rise to oppose the amendment that has been proposed by my learned friend, Rai Bahadur Lala Jagdish Prasad. I would not have opposed it, if it had not militated against the very principles on which the Bill is based. The Agra Province Zamindars' Association has been in existence for a very long time. I know that great difficulties have been felt in realizing the subscription, and that the association at present entirely depends upon the whims and fancies of the members. It is now considered necessary that the association, if it is intended to be useful should be based on a firm footing. Unless we have a firm and permanent association, I do not think it can justify itself. To make the association strong and permanent, it is absolutely essential that members should not have the option of resigning membership whenever they like. We know that compulsion is often unpleasant. It may be unpleasant to a few individuals, but it is necessary in the interest of the association that compulsion should be introduced. When compulsion is introduced, it is possible that some members may desire to resign the membership. In each and every democracy there are two parties. One party is generally stronger than the other and the weaker one naturally feels dissatisfied. So it is quite possible that in the case of one association the weaker party may desire to resign and thus wreck the association. We want to guard against this. It is also possible that some self-styled and unscrupulous well-wisher of the zamindars may start a canvassing campaign against the association, and in this way succeed in persuading some zamindar members to leave the association. For these reasons it is absolutely necessary that the membership of the association should be made permanent.

I very much thank my learned friend, who has just spoken, for the gratuitous advice which he has offered to the unfortunate class to which I belong. One speaker in the course of his speech has remarked that it is possible that the assigns or the heirs and successors of some zamindars may not like to continue as members of the association, but the Bill does not give them any option to resign. According to that honourable speaker it is unjust. This objection appears to be well-founded, but there is an amendment of my honourable friend, Hafiz Hidayat Husain to remove that objection. When that amendment comes up for discussion, I hope the zamindar members will be willing to accept it. Under these circumstances I ask the Council to reject the motion of the honourable member for Muzaffarnagar.

Rai Bahadur Lala Mathura Prasad Mehrotra : Most of us, the members of the British Indian Association had decided not to intervene in the debates when the Bill was to be discussed section by section in detail, as our appeal for the reference of the Bill to a Select Committee was not accepted by our brother zamindars of the Agra province yesterday. But, Sir, it is unfortunate that two of the members have drawn an analogy between our association and the Agra Province Zamindars' Association. I believe this is a misrepresentation, and I as a representative of the association have to stand up to clear the point. It has been said that this section is similar to one in the British Indian Association. I challenge the statement. There is no section like this in the British Indian Association Act. Our association is based upon different principles and privileges, and I would request my brother zamindars of the

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Agra Province not to drag in the British Indian Association when we have promised to support the principles of this Bill. Sir, in the Rules and Regulations of our association there is no section by which the association can remove a taluqdar from the list; while in the Agra Zamindars' Association we find that there is a section to which I want to draw particular attention of the honourable members of this House, —I mean the section 8 of the Rules and Regulations of the Agra Province Zamindars' Association—by which the association can remove any member it likes. It is now required to make a similar provision in the Bill under consideration. The section relating to removal from membership runs as follows: "A majority of the members present at a meeting of the Managing Committee may propose to a general meeting of the association the removal of any member of the association from his membership, and if a majority of two-thirds of the members present at the general meeting vote for the removal of the member, he shall cease to be a member." I think that it is just and proper for my friend, the honourable member from Muzaffarnagar to get up and say that if it is in the power of the association to remove a member, it should also be optional for him to resign whenever he likes. The amendment of my friend, Rai Bahadur Lala Jagdish Prasad is perhaps based on this section. If this section had not been in the rules, I think he would not have moved that amendment, which is based on equity and justice. The zamindars of the Agra province ought to have removed this section from their rules and then say that members should have no power to withdraw according to their will. Sir, once more I express my personal view and the view of many of my brother taluqdars that the zamindars of the Agra province should not draw false analogies on each and every matter, which will compel us to get up and explain the position as the representatives of the association. I hope the zamindars of the Agra province would extend this courtesy to us. When this Bill was brought in, we were not invited to discuss its principles. Just on the contrary whenever the question of Oudh came, we used to invite them. Sir, with all that, we have expressed our desire of our own accord, without any formal request from their association, to support the Bill. Even then if they are going to draw false analogies from our association, which we think will damage the reputation of our association it will compel us to get up and explain the situation as its representatives in this Council. Sir, I would once more appeal to them not to draw false analogies and we assure them that we will support almost all the important sections of this Bill on which they will require our support.

Rai Bahadur Chaudhri Jagannath Prasad : I oppose the amendment, I think the amendment is based on certain misunderstandings which I have to make clear before the House. If the amendment seeks that every member at every time is at liberty to withdraw from the membership of the association, certainly it is in that sense that I oppose the amendment. So long as a zamindar retains the qualifications of retaining membership he shall have to pay the contribution. If he has not the qualification to remain as a member he will not be liable to pay the subscription. A reference was made by my learned friend, on my left, that there is a provision in the British Indian Association Act to the same effect. My friend, Lala Mathura Prasad Mehrotra, I think was annoyed

that we want to take an unfair advantage by basing our arguments on that Act. We are basing our arguments on that Act only with regard to those provisions of this Bill which are of a similar nature in that Act. We are not asking for anything extraordinary or unreasonable. With your kind permission, Sir, I will read section 3 of Act IV of 1920. It runs thus and I ask my friend to see whether the Act means that the subscription will be payable during the continuance of the British Indian Association or not.

“ Every taluqdar and grantee and every heir, legatee, or transferee of a taluqdar or grantee shall pay, along with the land revenue which he is liable to pay as such, a contribution for the maintenance and support of the Canning College and the British Indian Association at the rate of $1\frac{1}{2}$ per cent. of the total amount of such revenue.”

I think to the best of my understanding this section means that so long as the British Indian Association exists and so long as he is a taluqdar he shall have to pay the contribution to the British Indian Association. Now my friend, to my right, has intimated to me that the amendment of Khan Bahadur Hafiz Hidayat Husain is likely to be accepted. I have considered the amendment proposed by my friend, Hafiz Hidayat Husain and when I have heard the arguments for and against that amendment I will come to a decision. But I may inform the House that certainly no association can exist if the members of that association can of their own free-will and of their own whims resign the association, and I think that association will not certainly be worthy of its name. There must be some guarantee. Every person has a right to read the rules; every person has a right to see what is the import of the Bill. Every person will have a right to see what the Act looks like when passed. If he joins the association with his eyes open, with his mind clear, then certainly I think it is not only his moral but also his legal duty to make the contribution. No intimation of objection had been received up to this time by any member, and from that I am entitled to infer that every member of the association agrees that the association should be established and must have a sound footing. The zamindars of Muzaffarnagar have welcomed the measure and simply want that they should also be included in this association. This is the Agra Province Zamindars' Association; not only the Allahabad association. Therefore, if the zamindars of Muzaffarnagar want that they should become members, they can very well become members and benefit by it. I may inform the Council that I am a zamindar of Oudh; and that my first cousins are big zamindars of Agra province and I look upon all zamindars of Agra province as brothers.

Raja Jagannath Bakhsh Singh : I just want to make it clear as to what I think my friend, Rai Bahadur Lala Mathura Prasad Mehrotra really meant. My friend from, Unao, has rightly quoted section 3 of Act No. IV of 1920.

Maulvi Muhammad Obaid-ur-Rahman Khan : On a point of order. May I know whether the honourable member is supporting the amendment or opposing it?

The Hon'ble the President : That is not a point of order.

Maulvi Muhammad Obaid-ur-Rahman Khan : I rise to another point of order. Is it not necessary that before speaking a member should mention whether he is in support of the motion or is opposing it ?

The Hon'ble the President : Not at all.

Raja Jagannath Bakhsh Singh : After the issue has been clarified by my friend, Maulvi Muhammad Obaid-ur-Rahman Khan, that I need not express whether I am supporting or opposing the motion before I make my speech, I beg to submit that the line I was taking is this, that the clause regarding the liability for payment of contribution in the legislation proposed and in the legislation referred to—I mean Act No. IV of 1920—is almost similar. The difference is only this that Act No. IV of 1920 was passed when the taluqdars of Oudh had already taken this liability upon themselves, one and all of them had executed agreement for their association giving it the powers to realize the Canning College contribution and British Indian Association contribution from them. When they had already bound down themselves their heirs and assigns that that contribution will be a liability on them, this Act No. IV of 1920 was passed. It did not enact a new rule, it only incorporated the legal aspect regarding the realization of the contribution as it existed before the Act was passed. In the case of the present legislation, clause 3 gives a similar power to an association which does not possess any such agreement from its members. This is the difference between the two. I do not mean to say that it should not be so. I do not say that this clause should not exist, I do not stand here to oppose it. I hope, my honourable friends, will not misunderstand me. What I mean to say is that if the members of the association and also the would-be members are agreed that they want that such a liability should be incorporated in the law, we have no business to differ from them. We say they are quite welcome to have it. The difference between the Oudh Act and the present legislation is that in the case of Oudh the taluqdars of Oudh had shouldered the liability before the Act was passed, not one or two years before the Act was passed, but probably 40 years before the Act was passed. A member corrects me and says that it was 60 years before the Act was passed. In this case the zamindars of Agra province have not yet shown that they have done so. From this honourable members may draw their own inference. I, for my part, think that there being no demand from the zamindars concerned that the liability imposed by clause 3 should remain as in the Bill the amendment of the honourable member for Muzaffarnagar should be supported by the House.

Chaudhri Vijai Pal Singh : I may inform the Hon'ble Khan Bahadur Masud-ul-Hasan that it is not as a sympathizer of the zamindars that I want to support this amendment. As a matter of fact, I regard this Bill not as a measure for the benefit of the zamindars, but as a Government measure. Though Government members have been conspicuous by their silence, I think their silence is more eloquent than their speeches. I wish the Hon'ble Khan Bahadur, not as a sympathizer of the zamindars but as a representative of the zamindars, would have opposed this motion. The principle which he has enunciated today would be much liked by you.

Khan Bahadur Maulvi Fazl-ur-Rahman Khan : Is the honourable member discussing the amendment or is he discussing all the provisions of the Bill ?

The Hon'ble the President : He is comming to it bye and bye.

Chaudhri Vijai Pal Singh : I want to make one submission, that the speech of the Hon'ble Khan Bahadur made in this twentieth century shows that he is a fit man to find his place on the Royal Commission.

The Hon'ble the President : Personal attacks or not permissible.

The principle is very dangerous. Once India is a subject country, it will remain a subject country for ever, I beg to submit that his speech should be forwarded to Lord Birkenhead, because it will serve the purpose of the bureaucracy if they have some such august person on the Royal Commission who will guarantee perpetual slavery, and India will remain a slave country for ever.

Rai Bahadur Thakur Hanuman Singh : In discussing the amendments which has been moved by my honourable friend, Rai Bahadur Lala Jagdish Prasad, it has been repeatedly said that the taluqdars of Oudh have to pay a contribution to the British Indian Association under a Contribution Act and that they have no power to resign. In this connexion I have to say, Sir, that the Canning College and the British Indian Association Contribution Act of 1920 was passed simply to legalize the payment which was being made since 1864. Then by a fresh agreement in 1893 the taluqdars had again agreed to make that payment, and in 1909 there was a further agreement by them to continue to make the payment. So, in this way all the taluqdars of Oudh had created a charge not on their persons but on their estates. Has any zamindar in Agra created such a charge on his estate with a view that any one who may succeed to that estate should be liable to pay that contribution? There is none. I therefore think that the argument which has been advanced against the amendment is fallacious and cannot be convincing in any way. I may repeat here that the contribution in Oudh is a charge on the estates and not on the persons of the taluqdars. Sir, it is quite possible, that the Zamindars' Association of Allahabad may become a defunct body after doing work for some time, and if the clause as it stands in the Bill is incorporated into law all those who will be its members shall have to pay the contribution while the association will do no work. I do not think any sensible zamindar will refuse to pay the contribution to the association if it continues to do useful work. Then, Sir, it is quite possible that there may be two parties in the association, one party being in a weaker position finding itself helpless to accept the policy of the majority party. Then that party which will be in a weaker position shall have to pay the subscription against its will because no member of it will have the freedom of resigning his membership of that association. This is a thing which should be considered by this Hon'ble House.

Professor Habib in opposing the amendment has said that the zamindars of Agra province were trying to build up an aristocracy. Well, aristocracy cannot be built up in the circumstances which exist in the Agra province, or as long as the law which governs inheritance in that province continues to be on the statute-book. In the Agra province estates are divisible; in Oudh inheritance is governed by the law of primogeniture. The successors of a zamindar who pays Rs. 50,000 as land revenue today may after a number of years become petty zamindars. So

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how can the Agra zamindars by having an association of their own build up an aristocracy like that of Oudh? The representatives of the zamindars of Agra in this Council cannot say that the Bill which is before this House is on the same principle as the Contribution Act in Oudh. It has been argued that no taluqdar can resign the membership of the British Indian Association. Certainly he cannot, because as soon as a person inherits a taluqdari estate he automatically becomes a member of the British Indian Association and nobody has power to expel him from such membership. But in the Agra province a zamindar after becoming a member of the association will be compelled to pay the contribution on the land revenue which he may be paying.

My friend, Mr. Fazl-ur-Rahman Khan has stated that the Zamindars' Association of Allahabad finding it very very difficult to realize subscriptions from its members thought it fit to approach the Government to give its help to the Bill which is before the House so that the Government may realize contributions from the members for the running of the association.

Khan Bahadur Mr. Fazl-ur-Rahman Khan: I never said that the association approached the Government.

Pandit Govind Ballabh Pant: Then the Government approached the association?

Rai Bahadur Thakur Hanuman Singh: I have no objection to withdraw my remark when the honourable member says that he did not say so, but the fact is as I have stated. In a province where the zamindars are so very reluctant pay the subscription which is a debt of honour, how can the association expect to do any useful work? Then he has said that compulsion was necessary. Well, the other day, the Hon'ble Minister for Education passed the Compulsory Education Act: now the zamindars are going to pass a Compulsory Contribution Bill. Under such circumstances can the Agra province zamindars expect to do any useful work through the association for which they at present appear so very zealous? It will be very very hard for the heirs, assigns and legatees of the members of the association if the contribution will be made compulsory in their case also.

Bhaiya Hanumat Prasad Singh: Is the honourable member in order in discussing the question of legatees, assigns and heirs? The question is of the members during their life-time and not of their assigns, heirs, and legtes after their death.

The Hon'ble the President asked Rai Bahadur Thakur Hanuman Singh to proceed with his remarks.

Rai Bahadur Thakur Hanuman Singh: With these few remarks, I support the amendment and hope that the House would carry it unanimously.

At this stage the Council adjourned for lunch.

After the recess, the Deputy President took the Chair.

Pandit Venkatesh Narayan Tivary: I rise to offer my hearty support to the amendment moved by the honourable member for Muzaffarnagar. But before I state my reasons for doing so, I should

like to express my sense of deep disappointment at the attitude of impatience exhibited by the supporters of the measure in regard to every attempt that is being made by some of us to improve this Bill which is full of flaws. Sir, in this connexion, I should like to read a portion of the speech of Mr. Churchill in the House of Commons. He said: "I remember it was the fashion in the army when a court-martial was being held and the prisoner was brought in that he should be asked if he objected to being tried by the president or to any of the officers who composed the court. On one occasion a man was so insubordinate as to answer I object to the whole lot of you." Evidently, in the opinion of the supporters of this measure, those who do not happen to be members of the Allahabad Association but who unfortunately for themselves happen to find themselves members of this House, have no business to take any interest in improving the measure that is before the House. Nothing surprised me more, Sir, than to find that the gentleman who is discharging the duty of wet-nurse to this measure should have opposed even this amendment which is innocuous, which is modest, which is simple, and which aims at safeguarding the interests not only of those who are members of the association at the present moment, but of their heirs, successors or assigns. What does the amendment say? The amendment, if analyzed, will be found to make clear two things which are not clear at present in the Bill as it has been drafted. In the first place, the amendment aims at vesting the full rights and privileges of membership of the association in the heirs, successors or assigns of those who may be the members of the association, and who shall be liable to pay the contribution under this Act. I have consulted some of the most distinguished members of this Council who have as good a knowledge of law as the mover of this Bill, and in their opinion, Sir, if the Bill as it is drafted is passed, the heirs, successors or assigns of the members of the association will not be able to enjoy the rights and privileges of membership, while they will remain liable to contribute to the funds of the association under this Bill. It is said that it is not so. Let me draw the attention of the House to section 3, sub-section (2):—"The following shall be liable to contribute to the funds of the association during the continuance of the association, namely, all members of the association other than honorary members, the heirs, successors and assigns of such members, provided that such heirs, successors or assigns are qualified under," etc. The proper thing to do would have been to have included under definitions also a definition of a member. That has not been done. The amendment of Rai Bahadur Lala Jagdish Prasad makes it clear that not only the members but also the heirs, successors or assigns of those members shall be members of the association when you make them liable to contribute to the funds of the association under the Act. This point was made yesterday by Pandit Govind Ballabh Pant, and I found at least one member of the House sitting on the cross benches, who was frank enough to confess that this was certainly a flaw in the Bill as it was drafted. I still hope that, if this amendment is not accepted, then someone sitting on those benches, someone from among the supporters of the Bill, himself will get up and move an amendment to remove this flaw. In the second place, this amendment aims at giving the right, of conceding the right, to the members as well as to.

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their heirs, etc., of resigning their membership, of terminating their connexion with the association at any time if they so please. It is said that there is an amendment of the Hon'ble Khan Bahadur Hafiz Hidayat Husain which, it appears, the members sitting on those benches are prepared to accept. I know that they will have to accept that amendment because for obvious reasons they cannot reject it. If they want to get their Bill passed through this House they will have to accept that amendment. But if you accept that, why not go a little further and put matters right by conceding to the members as well as to their heirs, successors or assigns the right of terminating the membership of the association if they so desire? It was said that that could not be done. Why? Because, it is said, if that were done the association would not be placed on a firm and sound footing. Sir, I was surprised to hear this argument advanced from the quarter from which it was advanced. Yesterday we were told by no less an authority than my honourable friend, Khan Bahadur Hafiz Hidayat Husain, that the essential principle, the vital principle of this Bill was to make it compulsory on the part of the members to contribute to the funds of the association. We find that today another announcement has been made that in addition to the principle enunciated by him as the underlying principle of the Bill there is yet another principle and it is this—not only will a member be liable to contribute to the funds of the association, but he will not also have the right to resign from the membership of the association. Well, Sir, it appears to me that if this amendment of the honourable member for Muzaflarnagar is not accepted then the membership of this association will be reduced to the position which is occupied by those of us who happen to be members of the British Commonwealth at the present moment. It is said that Indians should be loyal. Of course, they are loyal—we cannot do anything else, owing to the military policy followed by the Government of India and by His Majesty's Government during the last 150 years—no choice or option is left to us who are at the present moment subjects of His Majesty. Or, if this analogy does not satisfy some of the members, I will give another very simple and homely illustration of the position to which the members of this association will be reduced. For instance, Sir, those of us who are Hindus know very well that under Hindu law the Hindu wife has no rights. Her husband may be a scoundrel, a drunkard, a gambler, a thief or a rogue, but so long as he lives that poor woman has no right of severing her connexion with him. Well, what is intended by the promoters of this Bill? Do they want to reduce the members of this association to the position of male widows? Certainly, it is provided in the rules that the association may remove them just as it is open to the Hindu to desert his wife if he so pleases. Sir, a member cannot resign. He may be removed by the association, but he cannot resign. Let me give a third illustration. A man was caught by a Tartar. A man near by said:—"Why do you not throw him off?" He replied: "I cannot. I have been caught by a Tartar." Will a member of the association be in the position of a man who has been caught by a Tartar and cannot throw him off? Let me give a fourth illustration, a very homely illustration. I find that the honourable member for Muzaflarnagar has caught a chill. He cannot throw off that chill; the chill may throw him off. Membership of the association will be something like a chill or a Tartar or the condition of a Hindu wife. In these circumstances,

I do not understand why the promoters of the Bill would not accept this most reasonable amendment.

I will resist the temptation of traversing the ground that has already been traversed by previous speakers in exposing the hollowness of the analogy with the British Indian Association. But let me state as briefly as I can the difference between the two classes of members, the members of the Agra Province Zamindars' Association and the Taluqdars of the British Indian Association. There are three essential differences between the position of the two. The taluqdars are not members of the British Indian Association under the British Indian Association Contribution Act, while the members of this association will remain members of the association under this Bill. Secondly, the members of the British Indian Association cannot be removed by the association, while under the existing rules of this association they can be so removed. Thirdly, there is no law of primogeniture so far as the zamindars of Agra are concerned. (Hon'ble Lt. Nawab Muhammad Ahmad Sa'id Khan signified dissent). I find the Hon'ble Home Member shaking his head, but when my honourable friend to the left made this point I did not find him indicating his dissent. I am prepared to be in the wrong with my honourable friend to my left, rather than to be in the right with the Hon'ble Home Member.

Then it was said that this association is like a trade union, that this Bill is on the lines of the Trade Union Act. I wonder whether the gentlemen who made this point knew the difference between this Act and the Trade Union Act. At any rate, if he did not, I should like for his benefit to mention one essential fact. Some months ago, in the House of Commons a Bill was introduced by the Conservative Government of Mr. Baldwin. What was the object of that Bill? The object of the Bill was to make it optional for members of trade unions in England and Wales and Scotland to contribute towards the political funds of the party. If they so desire they can contribute to the funds, and if they do not so desire they can contract out of that liability. Under this Bill every member of the association shall be compelled to contribute to the funds of the association whether he is in agreement, whether he is in sympathy with the aims and objects and the policy of the association or not.

It is said that if this right is conceded, the right of resigning from membership, the association will not be placed on a sound footing. If that fear is well-founded let me suggest to the promoters of this Bill as well as to the office-bearers of the association that it lies in their own hands whether the association is placed on a firm and sound footing, or not. If they take interest in the affairs of the association, if they make it a live body, if they go about carrying on the work of the association vigorously, they will find that the zamindars of the province of Agra will be only too glad to join the association. They will consider it a privilege to be members of this association. But so long as you continue to pursue the policy which has been pursued during the last twelve years, the result will be that even those who are very enthusiastic in the beginning in the cause of this association will slacken their interest, and they will not wish to continue to be members of this association. Let me here point out the difference that is already noticeable in the affairs of this association.

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During the last two or three years the Hon'ble Minister for Local Self-Government has been taking very great interest in the affairs of this association. Through his unaided efforts he has succeeded in collecting over a lakh of rupees for the construction of the building which is known as the Marris Hall. And I am sure, if he continues to evince the interest which he has been evincing in the affairs of this association, much sooner than many of us expect we shall have a Muddiman Portico and a Lambert Staircase and a Kunwar Jagdish Prasad Backdoor. That is the way of placing the association on a sound and firm footing. Any number of bills of this character will not place the association on a sound and firm footing. With these words, I commend this amendment moved by my honourable friend to the unanimous acceptance of this House.

Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan : I move for the closure.

The Deputy President :—I see there are as many members on their feet to put the motion of closure as on their feet desiring to speak on the motion before the House. I think I would be depriving so many members of their right to speak if I put the motion just now when there are so many members anxious to speak. If the motion of closure is again moved, after one or two members have spoken, I will put the question.

Chaudhri Dharamvir Singh : The attitude of the cross-benchers and the Government over this bill reminds me of certain changes and reactions in chemistry. When heat is applied to certain chemicals, things which could not have been seen on the surface come out to make their appearance. To take a concrete case, when heat is applied to oxide of mercury globules of mercury which were, so to say, lost in the chemical composition come out on the surface of the oxide because of the heat applied to it. Yesterday the cross-benchers were showing a very different picture of their real intention. They were trying to put forward something which was not the truth. But today in the heat of the debate, in the heat which could bring out the truth to the surface, the truth has really come out. One of the supporters of the Bill said yesterday that no compulsion was involved in this Bill. It was, I think my learned friend, Khan Bahadur Hafiz Hidayat Husain.

Khan Bahadur Hafiz Hidayat Husain : I never said that

Chaudhri Dharamvir Singh : I remember it was said. If it was not said by the honourable member then certainly some other supporter of the Bill said that no compulsion was involved in the Bill. But today they ask for the support of the House to the Bill on the ground that it has got in it an element of compulsion. So, at last, they have given out the truth, and what had remained so long hidden has now come out in the open air. The supporters of the Bill have said that if the amendment of our friend, the honourable member for Muzaffarnagar, is carried the whole purpose of the Bill will be defeated. It appears, therefore, that the object of the Bill is to get enforced membership and to compel people to pay their subscriptions against their will. So far, however, it seemed to me that it was with a view to make the subscriptions regular that the element of compulsion was introduced in the bill. But another reason for introducing compulsion has now been found, and it is this, that at present the number of members of the association is very low and they

want to increase it considerably. It is indeed so low that the mover of the Bill had not the courage to supply the information asked of him on the point yesterday. If he had given the information yesterday, the hollowness of his pretensions would have been amply exposed. The hollowness indeed is quite clear from the fact that the much-talked of association has only got sixty members to its credit as I have been informed in a private talk. Thus the aim of the Bill is not only to increase the subscription but also to augment the membership. The association, as at present constituted, has, it seems to me, got nothing to its credit. Some honourable members have remarked that the association cannot remain alive unless the element of compulsion in subscriptions and membership is definitely introduced. I can name any number of organizations, Sir, which are in existence and in which there is no element of compulsion. Take the case of the Legislative Council. Here is the membership is not compulsory and there is no subscription and yet it is alive, the members come and attend it as I see that a number of them are sitting here. The Congress is another organization, which is thriving without compulsion. For the information of the opposite benches I may say that in 1921-22 there was an organization of Congress volunteers, who were not the members of the organization because they were compelled to be so, but because the aims for which their organization stood were so clear to them that lakhs and lakhs of them came forward and offered themselves for membership in spite of the fact that in doing so they had to make tremendous sacrifices. They accepted jail for themselves for the simple privilege and honour of serving the country as members of that organization. The question then is. Why do not the zamindars come forward and become members of the Agra Association of their own accord? The answer is obvious, and it is this that the Agra Province Zamindars' Association has got nothing to its credit which may attract people towards it. Its activities are only on the paper and in the registers of the association. No one knows what this association has done and what it will do. No one knows what its aims and objects are. I ask the supporters of this Bill to tell me the useful public purpose which this organization has served on the strength of which they have asked us to enact this Bill into law for them. My honourable friend, Mr. A. P. Dube, who is a master of constitutional law, has told us that in order that a Bill be taken into consideration and be enacted into law it should have some public purpose behind it. May I ask the supporters of this Bill to let me know the public purpose which this Bill, if enacted into law, would serve? Do they mean that if a certain number of gentlemen want to advance the ends of a particular class, that and that only constitutes a public purpose. As a matter of fact, the Bill has got no public purpose behind it. The real purpose in the Bill is to get support for the organization so that it may be of help to the Government. In order to show whether or not the association has got any public purpose for its object I will read to the House the aims and objects of the association . . .

The Deputy President : May I remind the honourable member that the aims and objects of the association have already been read before the House and need not be repeated again.

Chaudhri Dharamvir Singh : I will quote only a few of them.

The Deputy President : You may summarize them.

Chaudhri Dharamvir Singh : One of the aims of the association is to assist zamindars to give their sons a sound and healthy education in order to make them loyal citizens of His Majesty the King-Emperor. Loyalty is therefore the real purpose in the minds of those who are trying to promote this measure. It appears from the way in which at every place reference to officials and official help is found in the text of the Bill that the Bill has an evil purpose behind it. For instance, membership has been connected with the question of electoral rules which is purely an official business. In order that an organization may be in a real sense, a public one and serve the purpose of our society, it is necessary that not only its membership should be voluntary but that it should have nothing to do with the Government. It should have nothing to do with any such thing which involves a qualification of which the exact specification is in the hands of Government or is connected with officials. In the Bill we find references to the officials everywhere. In the rules of the association we find that a certain person will have to inform the collector that such and such a gentleman has become a member of the association and in the Bill that the subscription for membership will have to be realized along with land revenue.

Khan Bahadur Maulvi Fasih-ud-din : Is the honourable member speaking on the amendment ?

Chaudhri Dharamvir Singh : I am speaking about the subscription for membership, and this question is in the amendment. The question of membership is connected with official control, and it is proposed that the membership should be compulsory. I may just read the amendment for the information of the honourable member, which runs thus: Substitute the words "during their continuance as members of the association" for the words "during the continuance of the association." In order that an association may serve a useful purpose, there ought to be some sanction behind it, there ought to be something which may purify its membership, there ought to be something which may purify its purposes. A healthy spirit is only to be guaranteed by competition in the open field: it is not to be guaranteed by enactments, monopolies, limitations and compulsions. If you want that the association should serve some useful purpose, it is necessary that it should compete with other organizations in the public field, and this can only be when the membership is made voluntary and not compulsory. Compulsory membership is not only degrading and baneful to the member who is compelled to be a member, but it is also degrading to the organization which forces membership upon its so-called members. We have been fighting for freedom of action, freedom of speech and freedom of thought. Constitutional English history is a record of the great desire of English people to fight for freedom of action. But in India what are we doing? In the year of grace 1927 we are asking the Government and the Council to bind our hands in order to make us do a thing which we do not do. We say that we are not in a position to manage our organization, we say that we are not in a position to stand on our own legs; please compel us to do something. That is exactly the position which will be obtained if the Bill in its original shape, without the amendment, of my honourable friend the member of Muzaffarnagar is accepted. I do not know whether I have been able sufficiently to express my meaning. My meaning ought to be quite clear now. What I want to say

is this that personal freedom should in no case be refused to an individual. Sir, it will not be membership, but it will be serfdom, if the membership is to be made compulsory. I challenge my friends here to point me out a single instance, leaving aside the case the sister association of Oudh, in the world, where membership is compulsory. If it is compulsory, then it is serfdom and not membership. My friend says that the membership of jail is compulsory. I may say even there it is left to the individual to resign if he likes. No, No. It is right. The membership of jail is compulsory. You mean the membership as convicts and certainly it is compulsory. I was thinking of visitors. Then, Sir, I am opposed to the Association of Oudh also, to whose compulsion I am as much opposed as to the compulsion that is asked for here. I am not a party to those who say that the Oudh organization or its rules are good. Leaving aside this, there are the things which are the inventions of this bureaucracy in this blessed country of ours. Nowhere in the world membership is compulsory. The compulsion of membership is constitutionally bad. Sir, if zamindars are forced to be members, then it cannot be said that it is an organization of zamindars. It is an organization of those who make the thing compulsory. Who is it that makes the membership compulsory?

The Deputy President : May I inform the honourable member that he has dwelt too much upon compulsion.

Chaudhri Dharamvir Singh : What I mean was that compulsion is constitutionally bad. If you permit me, Sir, I shall dwell upon the point that there is something constitutionally objectionable in membership being compulsory.

Khan Bahadur Siayid Jafer Husain : Sir, is there no time-limit?

The Deputy President : Unfortunately, there is none as regards speeches on amendments to a Bill.

Chaudhri Dharamvir Singh : Then, Sir, what I wish to say is this that if the membership of an organization is compulsory, that organization cannot be called by the name which the members profess for themselves. If the membership is compulsory, than it will not be the Zamindars' Association.

The Deputy President : May I ask the honourable member to go further or to cut short his speech.

Chaudhri Dharamvir Singh : Very well, Sir, with due deference to your ruling I will now refer to other points which I have not been so far able to touch. I have sufficiently dwelt upon this point and shown to this House that compulsory membership will be baneful to the individual. Now, I say, that it will be baneful to the Association. Supposing after some days the association ceases to do beneficial services for which it is proposed it will stand. What will be the fate of those who will be compelled to contribute to its funds? How can they bring force upon the working of the association, how can they force the office-bearers of the Zamindars' Association to work properly? What remedy have they got in order that they may sever their connection from the association and thus bring force to bear upon it? There are only two ways, Sir, in which this can be done, one way is this. Either a member should commit suicide and kill all his heirs, successors, etc. and then he will cease to

[Chaudhri Dharamvir Singh.]

have any connection with the association. And the other way is that he should sell all his landed property and become a beggar. These are the only two ways in which he can get rid of this blessed thing known as the membership of this organization. He will have to adopt such extreme methods in order to get rid of a thing which he might have accepted on a previous day and which might seem to him to be a pure rubbish afterwards. Personally, I would do anything rather than remain a member of such an organization. Perhaps I would like to sell away all my property if required rather than remain a forced member. It will not then be difficult for the House at the present stage to form an idea of what this Bill will eventually mean.

The Deputy President : We are not discussing the Bill, or the whole Bill. The honourable member may confine his remarks to the clause under consideration.

Chaudhri Dharamvir Singh : If the amendment of my friend, the member for Muzaffarnagar is not passed, the House must form an idea of how difficult and how ugly will become the position of the honourable members of this house. When they go out of this House the public will say to them that they were sent here as their representatives of the people to safeguard their elementary rights, the elementary privileges that they are entitled to have under the British law ; but the question will be how they have discharged their duty. If this amendment is defeated, it will simply mean that the elementary right of self-determination and free will is denied to those zamindars who do not wish to be members of the association.

Here the Hon'ble the president resumed the Chair.

The amendment, if not accepted will bind not only the present members of the association, but also their children who are yet to be. It will be putting us into extreme difficulty. My friends over there have sarcastically remarked that we are interested in this Bill only as sympathizers, meaning thereby that we are not sympathizers.

The Hon'ble the President : Let us not lose sight of the amendment.

Chaudhri Dharamvir Singh : I was trying to appeal to the House to accept the amendment. My purpose is simply that I want the elementary rights of self-determination to be granted to every zamindar and to every Indian, to every one here who has the good fortune to breathe Indian air and it is not because I do not sympathize with the zamindars. I am reminded here of a passage in Macbeth, when MacDuff went to England to join the son of Duncan in order to safeguard the honour of his native country, he left his wife behind. Murderers invaded the house of his wife and before they came there, Lady Macbeth remarked to the child who was sitting before her :—“ Fathered, he is yet fatherless.” Yesterday it was said that the Bill has been fathered by a gentleman and it was doubted whether the parentage of the Bill was perfectly sound.

The Hon'ble the President : Let us come to the amendment.

Chaudhri Dharamvir Singh : I was making an appeal to the zamindars, and in order that I may win their hearts for the support of my amendment I put my case in this fashion. My point is that the zamindars while trying to oppose this amendment rely upon the support of the Government. This has been proved by the attitude the Government have been showing in favour of zamindars. In the speech.

Khan Bahadur Mr. Masud-ul-Hasan : I rise to a point of order. Is the honourable member right in repeating the same arguments?

The Hon'ble the President : I am afraid I was not here. I, however, find a note by the Deputy President that the honourable member has been in possession of the House since 2.38 and it is 3.10 now. I hope he will not be in adverse possession of the House.

Chaudhri Dharamvir Singh : My meaning is this, that the zamindars should realize that if they wish to oppose this amendment, they should do so with their eyes open. If they think the Government is acting towards them as a father acts towards his children, if they think that in opposing this amendment they will have protection from Government, I dare say that they are entirely mistaken. The Government will come to their help and will utilize them only when it suits their purpose. In their hour of trial the Government will desert the zamindars. We have seen the attitude of the Government towards the zamindars on various occasions and in more places than one. We have also seen the attitude of the Government in regard to settlement operations. . . .

Khan Bahadur Maulvi Fasih-ud-din : Is the honourable member in order in referring to these things?

The Hon'ble the President : He is appealing to a very delicate part of the zamindars.

Chaudhri Dharamvir Singh : The zamindars should realize that it is with eyes open that they are opposing this amendment. If the Government and they combine at this juncture in order to oppose this amendment, I am sure the time will soon come when the zamindars will be left alone and the Government will turn its face from them, and it is on account of this that I say that fathered they are, yet they are fatherless, in that the Government is not going to father them permanently. It will only do so occasionally when its own business is involved in the affair.

The Hon'ble the President : I hope the honourable member is now in sight of his peroration.

Chaudhri Dharamvir Singh : With these words, I support the motion of my friend, Rai Bahadur Lala Jagdish Prasad.

Khan Bahadur Mr. Masud-ul-Hasan : I move for the closure.

The question, that the question be now put, was put and the House divided as below :—

Ayes 57, Noes 30.

Ayes.

Abdul Bari, Mr. Muhammad.

Abdul Qayum, Haji.

Abdus Sami Khan, Lieut. Khan Bahadur
Nawabzada.

Abhainandan Prasad, Rai Bahadur Babu,
Ahmad Sa'id Khan, The Hon'ble Lieut.
Nawab Muhammad.
Ahmad Shah, Mr. E.

Ayes—(concl'd.).

Badre Alam, Khan Bahadur Shah.
 Baird, Colonel R. F.
 Bikram Singh, Thakur.
 Bisheshwar Dayal Seth, Kunwar.
 Blunt, Mr. E. A. H.
 Channer, Mr. F. F. R.
 Clarke, Mr. G.
 Darwin, Mr. J. H.
 Desanges, Mr. H. C.
 Dodd, Mr. R. J. S.
 Elliott, Sir Ivo.
 Fasih-ud-din, Khan Bahadur Maulvi.
 Fazl-ur-Rahman Khan, Khan Bahadur Maulvi Muhammad.
 Ghulam Husain, Shaikh.
 Habib-ullah, Maulvi Saiyid.
 Hanumat Prasad Singh, Bhaya.
 Hidayat Husain, Khan Bahadur Hafiz.
 Jafer Hosain, Khan Bahadur Saiyid.
 Jazannath Prasad, Rai Bahadur Chaudhri.
 Jagdish Prasad, Kunwar.
 Jamshed Ali Khan, Lieut. Nawab Muhammad.
 Kishori Prasad, Babu.
 Kushal Pal Singh, Raja.
 Lane, Mr H. A.
 Llaqat Ali Khan, Nawabzada Muhammad.

Mackenzie, Mr. A. H.
 Mahbub Ali Khan, Khan Bahadur Hakim.
 Masud-ul-Hasan, Khan Bahadur Mr.
 McNair, Mr. A. W.
 Muhammad Habib, Mr.
 Muhammad Sajjad Ali Khan, Mirza.
 Muhammad Yusuf, The Hon'ble Nawab.
 Niamat-ullah, Chaudhri.
 Nihal Singh, Sirdar.
 Norton, Mr. E. L.
 Obaid-ur-Rahman Khan, Maulvi Muhammad.
 O'Donnell, The Hon'ble Sir Sam.
 Panna Lal, Mr.
 Pim, Mr. A. W.
 Partap Bhan Singh, Thakur.
 Rajeshwar Bali, The Hon'ble Rai
 Rama Charana, Babu.
 Saiyid Muhammad *alias* Maiku Mian, Khan Bahadur.
 Shyam Lal, Babu.
 Sri Krishna Dutt Dube, Raja.
 Srivastava, Mr. J. P.
 Surendra Pratap Sahi, Kunwar.
 Wajid Husain, Khan Bahadur Chaudhri.
 Yorke, Mr. R. L.
 Zahur-ud-din, Maulvi.
 Zia-ul-Haq, Khan Bahadur Shaikh

Noes.

Badan Singh, Chaudhri.
 Badri Dutt Pande, Pandit.
 Bhagwat Narayan Bhargava, Pandit.
 Bhagwati Sahai Bedar, Babu.
 Chintamani, Mr. C. Y.
 Devata Prasad, Pandit.
 Dharamvir Singh, Chaudhri.
 Dube, Mr. A. P.
 Govind Ballabh Pant, Pandit.
 Gulab Singh, Thakur.
 Hanuman Singh, Rai Bahadur Thakur.
 Jagannath Bakhsh Singh, Raja.
 Jagdish Prasad, Rai Bahadur Lala.
 Kali Charan Misra, Lieut. Raja.
 Ravendra Narayan Singh, Babu.
 Manjit Singh Rathor, Thakur.

Mathura Prasad Mehrotra, Rai Bahadur Lala.
 Muhammad Ibrahim, Hafiz.
 Mukandi Lal, Mr.
 Mulchand Dube, Pandit.
 Nanak Chand, Pandit.
 Nemi Saran, Lala.
 Rahas Bihari Tiwari, Pandit.
 Sadayatan Pande, Pandit Shri.
 Sadho Singh, Thakur.
 Sankata Prasad Bajpai, Rai Bahadur Pandit.
 Shiva Shankar Singh, Thakur.
 Uma Shankar, Babu.
 Venkatesh Narayan Tivary, Pandit.
 Vijai Pal Singh, Chaudhri.

The Hon'ble the President : The amendment moved was that the following words

Rai Bahadur Lala Jagdish Prasad : Have I not got a right of reply, Sir ?

The Hon'ble the President : The honourable member has got a right but, I thought, I should not allow him to have that right, for proviso to standing order No. 23 says " Provided that the President may allow any member any right of reply which he may have under the standing orders." I think the matter has been sufficiently discussed for more than two hours and I do not think there is anything further to be said. But if the the honourable member is very keen to reply, I shall allow him to do so.

Rai Bahadur Lala Jagdish Prasad : Yes, Sir, I want to have my say.

(The Hon'ble the President then called on Rai Bahadur Lala Jagdish Prasad to reply).

Rai Bahadur Lala Jagdish Prasad : Honourable members who have opposed my amendment have advanced certain arguments, to a few of which I wish to reply very briefly. One of the arguments advanced was that this Bill follows the lines of the British Indian Association Act. With regard to this argument I would say that as honourable members are aware, there were historical circumstances connected with the establishment of the British Indian Association which do not exist in the case of the Agra Province Zamindars' Association; neither can the zamindars of the Agra province be on all fours with the taluqdars of Oudh, nor can their association be on all fours with the British Indian Association. Secondly, supposing that there is a provision like clause 3 of this Bill in the British Indian Association Act, but if modern public opinion has come to regard such provision as being of an unprogressive nature, there is no reason why we should follow the lines of the British Indian Association Act so far as a clause like this is concerned.

Then, Sir, my friend, Rai Bahadur Chaudhri Jagannath Prasad, has said that all the members of the Agra Province Zamindars' Association have been consulted and that the Bill was circulated among them. But a member of the Agra Province Zamindars' Association who is also a member of the executive committee, whose name I will disclose, if called upon to do so, just told me in the luncheon interval that, although he was a member of the executive committee, yet he did not know that such a Bill was going to be brought forward.

Then it has been said that some members of the Muzaffarnagar association want to become members of this association. Well, Sir, they may like to become members of this association. I am a member of the Muzaffarnagar association, and I at least do not know if some of its members are coming forward to become members of this association; but if the statement of my friend is correct, then let me congratulate him and the association. But, I for one, am not here to represent the Muzaffarnagar association; I represent the general electorate and as such, I am here to represent the interests of the general electorate of the Muzaffarnagar district. In this House, Sir, I am as a representative of the general electorate, and as such, I am a public man first and a zamindar afterwards. I can only say this much that if clause 3 of the Bill is passed in the form in which it stands in the Bill, time alone will show how many zamindars of the Agra province will come forward to become members of this association. As I said before, I would not have minded if this Bill had only affected the members of the association, but if it affects a wider section of the people, namely, the zamindars of the Agra province generally, in the sense that a zamindar can become a successor or an assign tomorrow. A zamindar may have to buy the property of a member of the association; in that case he will have to pay his share of the contribution without becoming a member of the association. My interpretation of the clause is this: if I am wrong, I hope my honourable friends will correct me. And, therefore, I consider that it is very unfair that an outsider who may become a successor or assign tomorrow should have to contribute to the funds of the association for his life. I, for one, can say this much that if this

[Rai Bahadur Lala Jagdish Prasad.]

clause forms part of the Act in the form in which it stands in the Bill, I shall be one of those who as self-respecting zamindars will not like to become members of this association. And I suspect that zamindars in general will think twice before they decide to buy property belonging to a member of this association if this clause is passed in the form in which it stands today.

I think I have sufficiently made my point. I consider that this amendment is very necessary in that a member should have the right of resignation. When a member according to the rules of the association can be removed, I cannot understand why he should not have the right of resignation. And as such he should be bound down to pay the contribution only as long as he continues to be a member of the association. I hope my amendment, being reasonable, will commend itself to the support of the House.

The Hon'ble the President : The amendment moved is that for the words "during the continuance of the association" the following words be substituted :—

"during their continuance as members of the association."

The question is that the words "during the continuance of the association" form part of the clause. (Some honourable members who were in favour of the amendment said "aye" on which the Hon'ble the President said.)

The Hon'ble the President : I think some honourable members have said "aye" under misapprehension. I said "The question is that the words 'during the continuance of the association' form part of the clause."

Rai Bahadur Lala Mathura Prasad Mehrotra : May I know what will be the fate of several other amendments to this clause?

The Hon'ble the President : This is the only way of putting the amendment to the House without prejudice to further amendments. I will make that clear. When an honourable member wants the substitution of certain words for certain other words, that means that the original words must go out first before there can be anything else substituted and it is the only principle of putting the amendment in this form.

The question, that the words "during the continuance of the association" form part of the clause, was put and the House divided as below :—

Ayes, 52; Noes, 31.

Ayes.

Abdul Bari, Mr. Muhammad.
Abdul Qayum, Haji,
Abdus Sami Khan, Lieut. Nawabzada
Khan Bahadur.
Abhainandan Prasad, Rai Bahadur Babu.
Ahmad Sa'id Khan, The Hon'ble Lieut.
Nawab Muhammad.
Ahmad Shah, Mr. E.
Badre Alam, Khan Bahadur Shah.
Baird, Colonel R. F.

Bikram Singh, Thakur.
Bisheshwar Dayal Seth, Kunwar.
Blunt, Mr. E. A. H.
Channer, Mr. F. F. R.
Clarke, Mr. G.
Darwin, Mr. J. H.
Desanges, Mr. H. C.
Dodd, Mr. R. J. S.
Elliott, Sir Ivo.
Fasih-ud-din, Khan Bahadur Maulvi.

Ayes—(concl'd.).

Fazl-ur-Rahman Khan, Khan Bahadur
Maluvi Muhammad.
Habib-ullah, Maulvi Saiyid.
Hidayat Husain, Khan Bahadur Hafiz.
Jafar Husain, Khan Bahadur Saiyid.
Jagannath Prasad, Rai Bahadur Chaudhri.
Jagdish Prasad, Kunwar.
Jamshed Ali Khan, Lieut. Nawab Muhammad.
Kishori Prasad, Babu.
Kushal Pal Singh, Raja.
Lane, Mr. H. A.
Liaquat Ali Khan, Nawabzada Muhammad.
Mackenzie, Mr. A. H.
Mahbub Ali Khan, Khan Bahadur Hakim.
Masud-ul-Hasan, Khan Bahadur Mr.
McNair, Mr. A. W.
Muhammad Habib, Mr.

Muhammad Sajjad Ali, Khan, Mirza.
Muhammad Yusuf, The Hon'ble Nawab.
Niamat-ullah, Chaudhri.
Nihal Singh, Sirdar.
Norton, Mr. E. L.
O'Donnell, The Hon'ble Sir Sam.
Panna Lal, Mr.
Pim, Mr. A. W.
Pratap Bhan Singh, Thakur.
Rajeshwar Bali, The Hon'ble Rai.
Saiyid Muhammad *alias* Maiku Mian, Khan Bahadur.
Shyam Lal, Babu
Sri Krishna Dutt Dube, Raja.
Srivastava, Mr. J. P.
Surendra Pratap Sahi, Kunwar.
Wajid Husain, Khan Bahadur Chaudhri.
Yorke, Mr. R. L.
Zia-ul-Haq, Khan Bahadur Shaikh.

Noes. 31.

Badan Singh, Chaudhri.
Badri Dutt Pande, Pandit.
Bhagwati Narayan Bhargava, Pandit.
Bhagwati Sahai Bedar, Babu.
Chhail Behari Capoor, Babu.
Chintamani, Mr. C. Y.
Devata Prasad, Pandit.
Dharamvir Singh, Chaudhri.
Dube, Mr. A. P.
Govind Ballabh Pant, Pandit.
Gulab Singh, Thakur.
Hanuman Singh, Rai Bahadur Thakur.
Indrajit Pratap Bahadur Sahi, Raja.
Jagannath Bakhsh Singh, Raja.
Jagdish Prasad, Rai Bahadur Lala.
Kavendra Narayan Singh, Babu.
Manak Singh, Thakur.

Manjit Singh Rathor, Thakur.
Mathura Prasad Mehrotra, Rai Bahadur Lala.
Mukandi Lal, Mr.
Mulchand Dube, Pandit.
Nanak Chand, Pandit.
Nemi Saran, Lala.
Rahas Bihari Tiwari, Pandit.
Sadayatan Pande, Pandit Shri.
Sadho Singh, Thakur.
Sankata Prasad Bajpai, Rai Bahadur Pandit.
Shiva Shankar Singh, Thakur.
Uma Shankar, Babu.
Venkatesh Narayan Tivary, Pandit.
Vijai Pal Singh, Chaudhri.

The Hon'ble the President : We shall now take up the amendment of Mr. Bedar. The effect of Mr. Bedar's amendment is that sub-clause (ii) of clause 3 be deleted. Will he move it in that form instead?

Babu Bhagwati Sahai Bedar : I move, Sir, that sub-clause (2) of clause 3 be deleted.

I had no mind to move this amendment of mine, but since a constitutional question of very vital political importance, rather domestic importance, has arisen I beg to move it. I am reminded of a story that there were two sisters, the elder one polished, educated and handsome and the other the reverse. The younger sister saw that everybody loved the elder sister and she became jealous, and tried somehow to stand in her sister's boots. Now, the elder sister purchased a *sari*—and the younger sister followed suit. The elder sister purchased some ornaments, so did the younger sister. But once it so happened that on account of some disease the elder sister got her eye operated on. The younger sister followed suit. So, Sir, this is the essence of this Bill. The taluqdars have certain rights and privileges and now our friends the zamindars of Agra province, who call themselves Mahapatis, they also wish that they should have a similar measure.

The Hon'ble the President : I would request the honourable member, after the relation of his story, to speak on the merits of the amendment.

Babu Bhagwati Sahai Bedar : I wish to say, Sir, that since it has been said for a couple of days that the Agra landlords say that they wish that similar rights and similar powers be given to them as well as have been given to the taluqdars of Oudh, it is on this basis that they have brought this Bill. So I wish to say that the taluqdars of Oudh under certain circumstances created this institution. I would point out that from the outset of the Mutiny Lucknow had been a main centre of rebellion.

The Hon'ble the President : The honourable member must now come to the terms of his amendment.

Babu Bhagwati Sahai Bedar : Then I say that in that case it is a very great hardship on the heirs and successors and assigns of the sons of the zamindars themselves who wish to impose certain future penalties on their sons. I think, therefore, that the sub-clause should be deleted, not because it is a very pernicious clause, but because it will for all time to come not allow their children to become wise and public-spirited. There are other conditions there regarding the second schedule of the United Provinces electoral rules. I do not know why these words have been added here. The simple thing is this: the zamindars can very well say we wish that the funds be realized for the maintenance of the institution. Their purpose can be served if these words are retained there. There is no necessity of words and clauses occurring hereafter. The only object can be very well served without the addition of these superfluous words. The children will take care of themselves, and we are not in a position to place our children under perpetual serfdom as it is desired to do in the preamble of this Act. If they wish that their children should be educated they ought to have put in a certain clause which would have distributed the revenue in such a manner that schools and colleges ought to have been created. If they care for their children and impose certain penalties on their children, well it is becoming for them to make provision for their children as well as for schools and colleges. After the Mutiny, Sir, Lord Canning, when the idea of the 'Taluqdars' Association, I mean the British Indian Association, arose in his mind, he sent the Raja of Rae Bareilly to bring the taluqdars round, with this object that since it was the heirs, successors and assigns of such members who would be liable to certain taxation therefore provision for their education be also made and on this very understanding the Canning College was created. Otherwise the Canning College would not have been in existence today. When the members refuse to pay anything, or were always faltering to pay subscriptions then such a clause was added there simply that the Canning College and other institutions might be prosperous, where the heirs, etc., could be educated. Without making provision for the healthy development of national education for the children of the zamindars, I think the zamindars are not in a position—it is unnatural for them to say that their sons should be taxed to such an extent. I will not call it absurd, but I say that it is inexpedient. In the Act it says that it is expedient—but I say that it is not wise for them. This association ought to remember that they can have no control over nature. For instance, if

they have no children. Most of them can have no children. If they say that in order to maintain our institutions we wish that our successors, our heirs and assigns should be made to pay the contribution compulsorily—I take it the other way—for instance take for granted all the persons have no issue at all. Then in what way will the honourable zamindar members maintain the association? The taluqdars have certain privileges—Government gave them these and it was in return for them that they formed the Association. I ask the zamindars of Agra what privileges have they got from Government? Only yesterday when the honourable members protested against the settlement operations the Government threw everything in the waste paper basket. And I feel ashamed as a representative of the zamindars of Moradabad and Shahjahanpur that I shall be a party to the passage of such an obnoxious Bill. I therefore say, Sir, that successors, heirs and assigns should in no case be asked to do that. If my son wishes to become a vakil and does not want to be a zamindar, where is the sense in forcing him to remain a zamindar. Where is the sense in telling him: “My boy, you remain a zamindar,” if he wishes to go to England, wants to become a barrister, or become a Finance Member in any Government. It is unwise that the heirs, successors and assigns of members of the association should be bound to a certain profession which is known as zamindari. Then what about small zamindars? Big zamindars can very well afford to bind their sons to posterity, but what about small zamindars? I know some zamindars, poor men, will have to sell their property if this obnoxious Bill becomes law. There are some big zamindars in this very Council like our honourable Chief Secretary who has no time to look to his estate, although he is in no way inferior to any of the big zamindars sitting in this Council. To ask such zamindars to bind their sons in this manner is not at all wise and prudent.

Then, I do not know why this election business has been introduced in this Bill. What have these electoral rules to do with the status of certain persons? I do not question the motive behind it, but I do not know with what object the election business has been thrust into this Bill. Now, what does the Government think of this association? Government thinks so little of the association that it has not permitted them to pay homage to His Royal Highness the Prince of Wales in 1921, nor to His Excellency Lord Irwin in 1926. I ask my zamindar friends to let me know whether they are going to bind their heirs, successors and assigns to such an institution which has not been honoured by the Government. I ask whether this association of zamindars was permitted to do honour to His Royal Highness the Prince of Wales in 1921. If the reply is in the affirmative, so far so good. Then they have some justification to bind their heirs, successors and assigns in respect of such contributions. Otherwise they have no justification. I think they must think four times before they leap in the dark. This association is darkness personified. Nowhere has there been such a law where the heirs, successors and assigns are bound down. I do not know if owing to hereditary nature a man can be sent to a lunatic asylum or a leper asylum. That is quite a different thing. If the Government thinks that the disease should not spread far and wide they may get a bond from the lepers that their heirs, successors and assigns shall not come

[Babu Bhagwati Sahai Bedar.]

within the limits of the municipality. But so long as there is no mental leprosy or leprosy of heart in anyone I do not think it is wise for them to do so. I have only to say this. It is we ourselves who are destroying our whole existence. It is we ourselves who are getting our riches plundered.

With these few words I move my amendment, and hope that it will be accepted by the House because it is a very innocent motion, it is a very very innocent motion, it is for the good of the zamindars, it is for the good of the country, it is for the good of their own children. I have taken it for granted . . .

The Hon'ble the President : I thought the honourable member had finished.

Babu Bhagwati Sahai Bedar : I have taken it for granted that this amendment will not be passed . . .

The Hon'ble the President : I will ask the honourable member to finish his speech now.

Babu Bhagwati Sahai Bedar : Very well, Sir. I will do so just now. I have taken for granted that if this amendment of mine is not passed and if "the heirs, successors and assigns" are retained in the Bill, I will remind my Hindu friends of their Pithirpaksh. Their children will complain that their Hindu fathers have bound them under certain rules from which they are not able to free themselves. With these few words I resume my seat.

Rai Bahadur Chaudhri Jagannath Prasad : I oppose this amendment. I find that no useful purpose will be served by accepting this amendment. I have intimated to the House that I am thinking seriously whether I should or should not accept the amendment standing in the name of my friend Khan Bahadur Hafiz Hidayat Husain.

Rai Bahadur Lala Mathura Prasad Mehrotra : Still there is time to think.

Rai Bahadur Chaudhri Jagannath Prasad : I have considered the matter and I am quite prepared to accept the amendment of my friend Khan Bahadur . . .

The Hon'ble the President : That has been announced more than once.

Rai Bahadur Chaudhri Jagannath Prasad : What I said was that after hearing the speeches for and against I will be able to make up my mind. Now I say I have made up my mind and therefore there is no use of my touching on points which I am quite ready to accept and therefore the grievances mentioned by Mr. Bedar do not arise now. Certainly we have passed the amendment that all members will be liable to pay their subscription. The representatives of the present members will be in a position to consider whether they will remain members or not.

Pandit Bhagwat Narayan Bhargava : Is the honourable member in order in referring to an amendment which is not before the House ?

The Hon'ble the President : I think he has finished his speech. He might have referred to it to influence the judgement of the House on the amendment under discussion.

Lala Nemi Saran : I rise to support the amendment which has now been moved, mainly on the ground that the amendment notice of which has been received late has not been allowed to be discussed because of the objection taken by the honourable member from Moradabad. With that amendment this clause would have been acceptable, I think, to many honourable members of this House on this side. I would just draw the attention of honourable members of this House to the implication which this clause has got. The first thing that I should dispose of is the fact that the honourable member in charge of the Bill said that he was prepared to accept the amendment of Khan Bahadur Hafiz Hidayat Husain. As you have rightly pointed out, it is to influence the votes of this House in his favour. But I must say that the amendment as it stands does not remove those difficulties and those objections which have been urged against the retention of this clause as it stands. This clause binds the heirs, successors and assigns to pay the amount fixed on the revenue of the member of the association who may have joined it. I would like to ask the mover of the Bill whether the heirs, successors and assigns of the members shall also be the members of the association. I have read the Bill carefully, and I find no provision in it to that effect. It appears to me that the heirs, successors and assigns have no *locus standi* as members of the association; they will only be liable to pay their contribution to the association. It is an ordinary principle of politics that there should be no taxation without representation. Accordingly, when the heirs, successors and assigns will have no voice in the affairs of the association, they should not be made liable to pay their contribution. The amendment of the Khan Bahadur Sahib merely enables the heirs, successors and assigns to indicate their unwillingness to pay their contribution to the association. But suppose there are some who do not wish to give any such intimation and yet wish to be members of the association. There is no provision in the Bill which will cover the cases of such men and by virtue of which they will become *ipso facto* members of the association. There is, therefore, the need of a provision like the one I wished to insert, namely, that the heirs, successors and assigns shall be entitled to be elected as members, or else the element of compulsion should be entirely eliminated from the Bill. To my mind, the heirs, successors and assigns should have the choice to become members of the association and to contribute to its funds. Should that be done, we will be conforming to the principle that there should be no taxation without representation. I would very earnestly request the mover of the amendment to take note of this point. There is another objection to the clause as it stands. This clause says that "the heirs, successors and assigns of such members, provided that such heirs, successors and assigns are qualified under the Second Schedule of the United Provinces Electoral Rules or such other rules as may for the time being be in force as electors for one of the Agra Landholders' constituencies." I hope, Sir, you will pardon my repeating certain of arguments which were repeated yesterday, because it is necessary for me to draw the attention of the House to them again. I am afraid that the full implication of the words "qualified under the Second Schedule of the United Provinces Electoral Rules" were not taken into consideration when the clause was so drafted. As pointed out by my revered leader, Pandit Govind Ballabh Pant, there is every likelihood that

[Lala Nemi Saran.]

although an heir, successor or assign may be qualified under the rules because he pays a land revenue of over Rs. 5,000 yet at the same time he may be disqualified as an elector because of any other disqualification. For instance, a gentleman might have been imprisoned for more than six months or might have been convicted under some election law. I would, therefore, ask the honourable mover of the Bill how he would bring in an heir, successor or assign, even though he pays a land revenue of over Rs. 5,000. As far as I think the intention of the framers of the Bill is that they want to impose this liability on the heirs, successors or assigns if they pay a land revenue of over Rs. 5,000. If that is so, why not say this in so many words, as I wanted to say in my amendment. Why take this roundabout way and expose it to the criticism to which it is being exposed now.

There is another objection. Suppose these rules are changed, as was pointed out by my revered leader day before yesterday and the limit of Rs. 5,000 is reduced to Rs. 100 or suppose the zamindar constituency is altogether abolished, as I hope it may be, how would this clause be interpreted? It would be very difficult to bring into consonance this clause and the rules of the association. It is said in the rules of the association that every person who pays a land revenue of more than Rs. 5,000 can be elected as a member. If this rule remains as it is and there are modifications in the electoral rules lowering or increasing the limit of Rs. 5,000, how then are these two things to be reconciled? It is unfortunate that this Bill has not been referred to a select committee where these things would have been threshed out thoroughly. I would, however, ask the supporters of this Bill to consider these objections without any prejudice and disregarding the fact that they emanate from a quarter which is not friendly to this Bill. Lastly, Sir, the objection to this clause being retained is that it has been drafted on the analogy of the British Indian Association Contribution Act. In that case, I may remind the House though it would be merely repetition, it is not an Act which imposes this liability on the successors, heirs and assigns for the first time. But the taluqdars of Oudh had already committed themselves by means of legal registered documents to contribute a certain amount towards a certain purpose, and these documents would legally apply to such persons who might purchase the property or succeed to the property as heirs. In this case there is nothing of the sort. Here we are bringing in a clause which is absolutely a new one. There has been no precedent in the Province of Agra and also among the zamindars who pay land revenue over Rs. 5,000 that they ever committed themselves to such a charge. I would, therefore, again appeal that this clause at least should be considered on its merits, irrespective of the fact from which quarter the objection has emanated, and taking into consideration the wide history of the two Bills that is to say this Bill and the taluqdars' Bill.

Pandit Bhagwat Narayan Bhargava: In supporting this amendment deliberately I wish to make a definite statement that sub-clause 2 of clause 3 goes entirely against the principle and the object of the Bill. I would even go to the length of challenging even the Legal Remembrancer to Government and all the Government members to show that my contention that, if this sub-clause is retained, the assent of the Governor or the Governor General cannot be given is not correct.

I will proceed further and submit that the object of the Bill, as is clear from the preamble, is to make compulsory and perpetual the realization of only certain contributions. But what are those contributions? They are only those contributions which have hitherto been realized. The first portion of the preamble clearly says that certain contributions have hitherto been paid voluntarily and only such contributions are to be made compulsory and perpetual and no other contributions. If this sub-clause is retained, it will mean that this Act will empower Government to realize those contributions also which were not hitherto realized, because no such contributions hitherto were ever realized from the successors, heirs or assigns of the members of the association. The rules of the association are very clear on this point, and there is no doubt that never up till now were such contributions meant to be or were actually realized from successors, heirs or assigns. And if this is the case, as certainly it is, then how can this legislation empower the Government to realize the contributions so long as this preamble exists. It is also an open secret that no amendment to make any change in this connexion, has been tabled, so that the words "said contribution" may be changed. Therefore, Sir, I submit that the retention of this clause will entirely defeat the very purpose of the law which my friends want to enact. The next point which I want to say in support of this amendment is this. So far we have not considered the implications and complications of the Hindu Law and the Muhammadan Law. We are unnecessarily inviting the ruinous hand of litigation to meddle with our affairs. It is impossible that in the case of every heir, that in the case of every death of a zamindar, the court will always pronounce upon the eligibility of a particular person for being the heir or successor. What will be done under this law when it is enforced? The Government will catch hold of any person whom it may consider, in its wisdom, to be the successor? What is the guarantee that the legal view taken by the Government will always be correct and will always be accepted by the court? The result will be that unnecessary litigation will crop up after the passing of this Act. The Government will force a person to pay the contribution and if he refuses to pay his property will be distrained or he will be arrested. He will have to go to the court if he thinks that he is not the heir of the deceased zamindar liable to pay contributions. Then, Sir, there will be difficulties at least under the Hindu Law to decide whether which of the Bandhus, Sapindas, Samanodakas, are legally to succeed to the property. How the Government with its executive powers will be able to decide who is the legal heir or successor? If this clause is retained, the result will be that the heirs and successors, the alleged heirs and successors, will be ruined by litigation. If the court rescinds the order of the executive, the result will be that the Government will have to pay compensation to the person whom they wrongly declared to be the heir and against whom they issued process and that compensation will have to be paid by the Zamindars' Association and nobody else. Thus the contributions collected will also be wasted. So in order to remove these difficulties, it is very necessary that this amendment should be accepted. Then, Sir, there is a very vital question involved in this amendment and it is this. I do admit that every honourable member of this House has got a right power or election to do away with his own liberty. But would it be right to bind his

[Pandit Bhagwat Narayan Bhargava.]

descendants also and to sell away that freedom of thought and action. They should remember that their heirs and successors will curse them for their utterly irresponsible and reproachable action. If the remarks of my honourable friend, Khan Bahadur Hafiz Hidayat Husain, were correct, the mental and physical rheumatism will be left to them as a legacy. Then, Sir, the rules of the association are also to be taken into consideration, because this Bill is being enacted for the advancement of the aims and objects of the association. In that case if the rules do not at all provide for the realization of contributions from heirs and successors, the difficulty will become all the more great. So firstly in order to remove the technical and legal difficulty which I have mentioned first, secondly in order to avoid unnecessary litigation which is bound to crop up on account of the complications of personal laws, if this clause is retained, and thirdly to have consideration for the liberty of thought and action of their descendants, it is necessary that this clause should be deleted.

Pandit Govind Ballabh Pant : I rise to support the amendment that has been moved by the honourable member for Shahjahanpur-cum-Moradabad. We ask the House to vote for the omission of sub-clause (2) of clause (3) of this Bill. I support his motion, not only because I consider the existing clause of the Bill as novel, unprecedented and quibotic, but also because I say that, in the interests of the association itself and of others who are interested in the welfare and progress of the zamindars of Agra, it is desirable that such a provision should not find a place in the Bill. Those who are promoting this measure should consider very carefully and dispassionately what will be the effect of such a clause in the Bill on those who sincerely aspire to join this association. Whether any man would not feel that by joining this association he would be imposing a charge on his property not only in his own lifetime, not only so long as he agreed with the objects and ideals of the association but also after his death and quite in opposition to the wishes of those who would be interested in his property the liability would be continued and perpetuated. What would be the inclination of such a member in spite of his aspiration to join the association? Would he or would he not be discouraged in that ambition? Would he or would he not feel it very risky to join an association which imposed such an unnatural liability on his successors and heirs. I am sorry that the mover of this Bill is not here; but for those who are here banded with him, for their benefit, I would say just what he said a few minutes ago. While speaking on the motion that was made by the honourable member for Muzaffarnagar, he said "non-members ought not to be made to pay any subscription and if such a proposal were made, I would not oppose it." I took down his words while he was speaking. I do not know with what face, with what consistency he opposed this proposal that was made by the honourable member for Moradabad-cum-Shahjahanpur, for here this clause asks the heirs, successors and assigns to make contributions towards this association, and I think the idea is that they should be made to contribute towards the funds of the association, though they refuse to join the association as members. By means of this clause you are compelling those people who will not be prepared to join the association as members, provided they are eligible under the electoral rules given in schedule

II of the United Provinces Electoral Rules, to make contributions towards the funds of this association. After all, the principles on which public associations are based, reared, maintained and promoted are very simple. They are bodies consisting of individuals who have a common ideal, who have a common object and who desire to promote a common cause. They are maintained at the cost and at the expense of those people who are really interested in their maintenance. But here such an unusual procedure is being prescribed by which it is not those who will pay the piper who will call the tune, but others will call the tune. A different set of people will be compelled to pay the piper and that only on the ground that at some unguarded moment somebody who had something to do with certain property had agreed to be a member of the association. Then I would ask the honourable members of this House to remember what are the rules of this association. Under them a person is not entitled to be a member of the association simply if he subscribes to the creed of the association; the rules provide that nobody even if he accepted the rules of the Association, would be enlisted as a member unless he was proposed by some existing member, seconded by some other existing member and supported by the majority of the existing members. One can easily see the effect of these two clauses, one on the constitution of the association and the other on this Bill. If one were to follow the methods of Tammany Hall he could not have conceived anything more Machiavellian than this. A person dies; he is a member of this association; his heirs and successors are to be compelled to contribute towards the maintenance and towards the funds of the association, but those who are surviving members are free to blackball him and to ballot him out. So that, if this process is to be followed and repeated continuously, the association will be controlled by very few individuals; their number may dwindle down to even half a dozen. Can anything be more illogical, can anything be more preposterous, can any association be more rotten than this that those who are required to contribute towards its funds are not actually interested. Then there is another clause in the constitution of the association by means of which the members of the association can remove any person who is enlisted as a member. But there is this anomaly that in spite of the fact that they do not want him as a member, that they do not want him to continue in their association as a co-equal, not only he but his heirs, successors and assigns will for ever and ever in perpetuity be required to contribute towards the funds of the association. Is it not preposterous that a person should actually be removed from membership by others and still in perpetuity his heirs and successors should be required to contribute towards this fund. Then what is the actual interpretation of this clause? I do not know. Will his heirs and successors be required to contribute towards the funds of the association though they are minors, members of a joint family, though they are *pardah-nashin* ladies and cannot possibly have any interest in the affairs of the association? Will they be required to contribute when they are idiots, when they are insane and when they are mentally incapable of taking any intelligent interest in the affairs of the association?

Then, Sir, what does this Bill mean? Are the heirs and successors of the members only to be liable, or the heirs and successors of such heirs

[Pandit Govind Ballabh Pant.]

and successors also to be liable? Is this liability to be attached in the first degree only or is it to go on indefinitely? So far it appears that the heirs, successors, and assigns of the original members are to be liable, but I should not be surprised if it is the intention of those who are promoting this Bill that not only heirs, successors, and assigns of the original members but of everybody will be liable. The meaning of the clause is not clear. Then, Sir, under the electoral rules a person cannot be eligible to be an elector unless he resides within the constituency, but what is the intention of the promoters of this Bill? Do they mean that only such of the members as are living inside the constituency will be liable to make this contribution if they otherwise possessed of sufficient property to be eligible to be members of this association, or whether they live inside the constituency or not and irrespective of the electoral rules they will be liable to make this contribution. I think they will try to clear up these points for their own satisfaction if not for ours.

Sir, references have frequently been made to the British Indian Association Contribution Act. I would remind honourable members of the substantial and categorical difference between the British Indian Association Act and the present Bill. Under that Act a charge is imposed in perpetuity irrespective of anything that follows and whether anyone is qualified or not qualified. Even if one may purchase, one may acquire only 1/100th of the interest of a taluqdar, he would be liable to contribute towards the fund. There it proceeds on a different principle altogether, which I will explain just a minute hereafter, but here we are told that the heirs, successors and assigns are not liable to pay the contribution in every case. They are only liable to pay in the cases covered by the definition given in the second schedule as to the qualifications of electors to the Agra Landholders' constituency. That is not what the other Act says. The other Act merely lays down that a charge is imposed on the estate irrespective of the individuals who hold it to make contribution for the maintenance of a beneficial object. A trust has been created and founded and the means are provided therein for the maintenance of the trust. It is laid down that a certain proportion of the land revenue shall be payable by every taluqdar, grantee and assignee, whether he be a minor, whether he be a major, whether he is qualified or disqualified for being elector, whether he is in the first degree or in the tenth degree, but he will be liable to contribute to the funds of the association for the maintenance of the Canning College and the Colvin School. But here we are told that it is only the heirs, successors and assigns who fulfil a certain condition will be liable under this clause. I will ask the Government, in spite of its fondness for the Bill, to consider how it will embarrass its officers, how it is going to determine whether a certain person is an heir, successor or assign, whether he is qualified under the rules, whether he is liable or not to make the contribution. Further, I will show the absurdity of this clause. If a man, who is paying Rs. 10,000 as land revenue leaves three heirs, each getting less than 5,000 in his share, none will be liable to pay the contribution. On the other hand if a person paying 5,000 as land revenue leaves only one heir, he will be liable to pay. Further, take another illustration. A man who is paying 6,000 as land revenue leaves six heirs, each one getting 1,000, but some of them had earned

property worth 4,000 prior to his death. Then this four thousand and the one thousand that they would be getting as their share of the property left by the deceased would entitle them to be an elector under schedule II and consequently those who had been industrious in their life, who had tried to save money for themselves, to raise a fund for themselves, would be made liable to make contribution towards the funds of this association, but those who have not strengthened themselves, who had cared to enter the court of bankruptcy and who would all be insolvents in their lifetime would not be required to make this contribution. You are thereby imposing a premium on extravagance, you are in a way discouraging people from being prudent and from handling their finances and husbanding them in a proper manner. So far as that goes, it is against public policy.

I gave one salient distinction between the British Indian Association Act and the present Bill. I may mention other factors which are very relevant to the discussion that we are now carrying on. I would remind honorary members how the British Indian Association Contribution Act came to be introduced and passed. Some time in the early sixties there was an agreement between the Government and the taluqdars by virtue of which the taluqdars promised to make a contribution towards the Canning College and the Government undertook to collect those funds for them. That practice was continued by the Government for a series of years. There was another important thing that was done and it was this, that registered deeds of endowment were executed by the taluqdars, individually, severally, and jointly promising to make a contribution for the maintenance of the Canning College and the British Indian Association and undertaking to pay that with their land revenue, and it was in consequence of the agreement between the Government and the taluqdars and the deeds of endowment executed by these taluqdars that such a practice was initiated and was actually continued for a period of fifty years. And it was after the passage of half a century that the Act was adopted in 1920 to give effect to the agreement between the taluqdars and the Government and the deeds of endowment executed by the taluqdars; it did not impose any new liability. But here, Sir, I can say, and I think my statement cannot be disputed, that, till a few months ago, there was no provision in the constitution of the Zamindars' Association by virtue of which anyone but a member, at any time but during his period of membership, could be made liable to pay anything towards the funds of this association. Even the present constitution is ambiguous. I tell you, Sir, it does not say that heirs, successors, and assigns will be liable. Even the present constitution was adopted only a month or two ago, and it was only to bring it into conformity with the present Bill. How can any one say that the existing members should under this constitution bind their heirs, successors, and assigns. I submit that a sort of fraud is being perpetrated. Even so far as the existing members are concerned, if it is to be the effect of this Bill that, without renewing their membership, without promising to make a contribution themselves even after they have ceased to be members, without giving a definite undertaking that not only they but their heirs, successors, and assigns will be liable to make the contribution, the existing members are to be bound down by this provision, I submit it is a tyranny on them and it should not be so.

[Pandit Govind Ballabh Pant.]

Sir, about assigns, again I ask the Government to look at the question from another aspect. There is a member today of this association who is paying Rs. 15,000 as land revenue and he assigns property liable to pay Rs. 1,000 as land revenue to a person who is paying Rs. 4,000 as land revenue and in that manner he assigns similar shares to fourteen men each of whom is paying Rs. 4,000 as land revenue; I want to know whether it is the object of this Bill that the moment that one thousand rupees land revenue worth of property is transferred, those others each one of whom was so far exempt from the provisions of this Bill should be made liable to make contributions towards the funds of this organization.

The Revenue Secretary here made some remark.

Pandit Govind Ballabh Pant: I did not follow the Revenue Secretary's remarks; I would very much like him to repeat what he said. Well, I think his words cannot stand scrutiny. So, Sir, I repeat that by means of this Bill a procedure is being introduced which will, I am sure, embarrass the Government that will be in charge of administration hereafter. I know that the responsible members of the present Government will be laying down office within a few days and they must have some regard for their successors who may have to reap the whirlwind. Sir, perhaps the Government is anxious to put one more feather to its cap; I do not know if it has any other feathers to its cap or it is exclusively bald-headed, but whatever it be, I think before they are carried away by their zeal out of the hope that at least during the last few days of their administration they will be thereby getting an opportunity of adding one feather or planting the sole, solitary, exclusive feather on their bald heads, I would ask them to remember whether the price that they are paying is not too much.

Sir, in the course of the discussion that has been carried on in this House there was also a reference made to the Tea Cess Act and it was said that this provision in this Bill was not unprecedented as it followed the lines on which the Tea Cess Act has been framed. I never heard a more ridiculous argument. The Tea Cess Act has nothing in common with the present Bill; it has nothing to do with the members of any association. The Tea Cess Act only lays it down that a cess will be imposed on the tea that is exported from this country and the amount that is collected thereby will be primarily used for the promotion of tea industry. I do not see wherein the Tea Cess Act has anything in common with the present unique association which is going to be founded with a view to build up an aristocracy in the province of Agra. Sir, I have not reached that stage in which people like to trample the aristocracy, as I should very much like to build up an aristocracy not only of wealth but also of intellect. But I want to put the question: how far and to what extent has this association for the benefit of which this Bill is being rushed through this House today in a shameless manner, been helpful in building up an aristocracy in the province of Agra so far? In what manner has it tried to raise the status of and to secure more of advantages, privileges, and prerogatives to the aristocracy of the Agra province? What are its credentials? What it is that it has done? It is after all on the basis of its achievement only that it can make an appeal to us and ask us to give our support to this measure. I personally am satisfied

that it is an injustice to the British Indian Association to compare it with the Agra Zamindars' association. But for the high sounding and vainglorious title of *Mahipati Mahamandal* there is hardly anything aristocratic about this association. I do not know what the builders of this aristocracy mean : are they going to claim in fact the title of *Mahipati* . . .

Kunwar Jagdish Prasad : Landlords.

Pandit Govind Ballabh Pant : If they do, well it may lead to a civil war. I do not beg your pardon if it means landlords only. Then from the very title we find that there has been a perversity about this Bill. It has used words which do not mean what they are intended to mean ; it has included clauses which entail consequences which nobody ever perceived, which nobody anticipated. We have been appealing to the members of this House to be cautious, to cry a halt, to think over the liabilities that they are taking upon themselves, and we are doing so not only as friends of the zamindars, however, we may be treated for that remark, but also because this unprecedented Bill goes beyond the range of the zamindars. It purports and pretends to impose liabilities on those who do not belong to that fortunate class. So I submit once again to the members of this House to beware not to be led away by their friends off today, friends who are anxious that even the tenure of this Council should be extended in order that this Bill may be passed. Remember the history of the Land Revenue Settlement Bill and think and ponder whether it is in your interest after all that such undue haste is being shown.

Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan : I had no intention of speaking at this late hour of the day. I know that the patience of the members is exhausted and speech after speech has been inflicted on their ears against their will. I do not rise to make any reply to the angry speeches made by some of the honourable members in this House, nor do I rise to make any reply to the sympathetic speeches made by some members. We zamindars have been stigmatized as self-willed, some of the honourable members were pleased to call us aristocratic. We were reminded of the discussion which took place on the heights of Naini Tal in connexion with the Land Revenue Bill. I do not propose to make any reply to all those remarks and arguments. It is a matter of common knowledge that helpless persons often come to blows. I thank my friends, for they did not come to blows. They have not been very unkind to us. They expressed only hot words. Three points were, however, made out, one by Pandit Govind Ballabh Pant and two by the gentleman who preceded him. They need replies, because I think it is possible some honourable members may be carried away by those arguments. I must start by saying that those arguments are fallacious, but they need an explanation. The honourable gentleman, who preceded my learned friend Pandit Govind Ballabh Pant, said that the Act will multiply litigation, that it will be difficult for Government to ascertain true heirs and assigns. This argument is as weak as it is ridiculous. When a man dies his successors and heirs are always ascertained by the revenue courts. If the finding of the revenue courts is not correct the parties go to the civil court and have a decision from that court. Our association can wait and see the result of that litigation. This Act is intended to deal only with the legal heirs

[Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.]

and true representatives. Under these circumstances it will not at all be difficult to find out the real heir or successor. Mr. Pant in the course of his speech called the Bill preposterous on the ground that, according to him, it would make it compulsory even for a member who has been removed by the association to pay contribution. My learned friend has not carefully read the provisions of clause 3. Contribution will be charged under this clause only from the members of the association and the heirs, successors, and assigns of such members. The moment a member is removed by the association he ceases to be a member and when he ceases to be a member nothing can be charged from him. His heirs and successors will not be the heirs and successors of a member. His heirs and successors will be the heirs of an ordinary zamindar because at the time of his death he was not a member of the association, and in this way no charge can be made from them. The Act will not apply to his heirs, etc. Much has been said about the charge that the Bill is going to create. All the speakers in the heat of the moment forgot that the charge which is to be created is negligible and nominal. This Bill lays down that the charge will be only four annas per cent. which comes to Rs. 2.8 per thousand. The Bill applies to persons who pay Rs. 5,000 or more Government revenue. The contribution of a person who pays Rs. 5,000 revenue will come to only Rs. 12-8. It is not an enormous amount—it is not an enormous charge—it is an ordinary matter. A man who can pay so much as Rs. 5,000 revenue must have a profit of six or seven thousand rupees and can easily pay about one rupee a month. So in my humble opinion we should be led away by the fact that the Bill is going to create any unbearable charge. With these few words I oppose the amendment.

Several members moved for the closure.

The question, that the question be now put, was put and the House divided as below :—

Ayes 52 ; Noes 28.

Ayes.

Abdul Bari, Mr. Muhammad.
Abdul Qaiyum, Haji.
Abdus Sami Khan, Lieutenant Khan Bahadur Nawabzada.
Abhainandan Prasad, Rai Bahadur Babu.
Ahmad Sa'id Khan, The Hon'ble Lieut. Nawab Muhammad.
Badre Alam, Khan Bahadur Shah.
Baird, Colonel R. F.
Bikram Singh, Thakur.
Bisheshwar Dayal Seth, Kunwar.
Blunt, Mr. E. A. H.
Channer, Mr. F. F. R.
Clarke, Mr. G.
Darwin, Mr. H.
Desanges, Mr. H. O.
Dodd, Mr. R. J. S.
Elliott, Sir Ivo.
Fasib-ud-din, Khan, Bahadur Maulvi.
Fazl-ur-Rahman Khan, Khan Bahadur Maulvi Muhammad.
Habib-ullah, Maulvi Saiyid.
Hanumat Prasad Singh, Bhaya.
Hidayat Hussain, Khan Bahadur Hafiz.

Jafer Hosain, Khan Bahadur Saiyid.
Jagannath Prasad, Rai Bahadur Chaudhri.
Jagdish Prasad, Kunwar.
Jamshed Ali Khan, Lieut. Nawab Muhammad.
Kishori Prasad, Babu.
Kushal Pal Singh, Raja.
Lane, Mr. H. A.
Liaquat Ali Khan, Nawabzada Muhammad.
Mackenzie, Mr. A. H.
Mahbub Ali Khan, Khan Bahadur Hakim.
Masud-ul-Hasan, Khan Bahadur Mr.
McNair, Mr. A. W.
Muhammad Habib, Mr.
Muhammad Sajjad Ali Khan, Mirza.
Muhammad Yusuf, The Hon'ble Nawab.
Nihal Singh, Sirdar.
Norton, Mr. E. L.
Obaid-ur-Rahman Khan, Maulvi Muhammad.
O'Donnell, The Hon'ble Sir Sam.
Panna Lal, Mr.
Pim, Mr. A. W.
Pratap Bhan Singh, Thakur.

Ayes.

Rajeshwar Bali, The Hon'ble Rai.
Saiyid Muhammad *alias* Maiku Mian,
Khan Bahadur
Shambhu Dayal, Raja.
Shyam Lal, Babu.

Sri Krishna Dutt Dube, Raja.
Srivastava, Mr. J. P.
Wajid Husain, Khan Bahadur Chaudhri.
Yorke, Mr. R. L.
Zia-ul-Haq, Khan Bahadur Shaikh.

Noes.

Badan Singh, Chaudhri.
Badri Dutt Pande, Pandit.
Bhagwat Narayan Bhargava, Pandit.
Bhagwati Sahai Bedar, Babu.
Chintamani, Mr. C. Y.
Devata Prasad, Pandit.
Dharamvir Singh, Chaudhri.
Dube, Mr. A. P.
Govind Ballabh Pant, Pandit.
Gulab Singh, Thakur.
Hanuman Singh, Rai Bahadur Thakur.
Jagannath Bakhsh Singh, Raja.
Jadgish Prasad, Rai Bahadur Lala.
Kali Charan Misra, Lieut. Raja.
Kavendra Narayan Singh, Babu.

Khalil Ahmad Shah, Khwaja.
Manjit Singh Rathor, Thakur.
Mathura Prasad Mehrotra, Rai Bahadur Lala.
Muhammad Ibrahim, Hafiz.
Mulchand Dube, Pandit.
Nemi Saran, Lala.
Rahas Bihari Tiwari, Pandit.
Sadayatan Pande, Pandit Shri.
Sadho Singh, Thakur.
Sankata Prasad Bajpai, Rai Bahadur Pandit.
Shiva Shankar Singh, Thakur.
Uma Shankar, Babu.
Venkatesh Narayan Tivary, Pandit.

Babu Bhagwati Sahai Bedar: Just now my friend Mr. Fazl-ur-Rahman Khan, who hails from the same city as I do, said that this additional taxation will not be grulged by the zamindars. I would remind him that in Shahjahanpur the district board tax is being imposed and the people are clamouring about it, mainly zamindars, and a committee has been constituted to raise a cry against that tax, and Mr. Fazl-ur-Rahman Khan and I are members of that committee, to protest against the tax. If he says that additional taxation is nothing when it is for the benefit of zamindars, then why does he oppose the tax on circumstances and property because it will be for the benefit of the zamindars, the district board will have education and all sorts of conveniences in the district? Then if he says in one breath that a small tax is not going to be opposed, why does he row in the same boat as myself and oppose the other small district board tax? Because he says that this other contribution will only be a small amount—well so will the other tax be a very small amount. And if this contribution is such a paltry affair why legislate about it that there should be a warrant issued and under sections of the Land Revenue Act this tax must be realized? It is a small affair and it should be made voluntary—let the people give it of their own will. I challenge my friend Mr. Fazl-ur-Rahman Khan to contradict me when I say that one-third of the zamindars of Shahjahanpur will be with him and two-thirds will be with me when I place the case for additional taxation before them. I will give an instance. There are a number of ladies there. I ask whether these ladies will be able to pay it. The tahsildar of Shahjahanpur told me the other day that it is very difficult to realize the tax from the Pathans of Shahjahanpur. What to say of this additional tax that is going to be imposed upon them? Then he says that there will be no litigation as far as the Hindu families are concerned. There will be. For instance, a man dies leaving his potha, nathi, and mama ka bhanja ka sala as heirs. From whom will the Government realize the tax? Is there any provision in this Bill by which the Government is empowered to realize the tax from whomsoever it likes? As far as I am concerned and as far as this Bill is concerned, my motive is that the zamindars should not be subjected to any hardship?

[Babu Bhagwati Sahai Bedar,]

An honourable member : Thank you very much.

Babu Bhagwati Sahai Bedar : If such coercive measures are adopted then nobody will think himself to be popular. To the best of my knowledge I think this is a very unpopular measure that is going to be enacted because people will think that a handful of persons sitting in the Legislature are enacting a law which they do not want. It can be said that other laws are being enacted which people do not want. But we are protesting against them as well. The position is this. We are against any further taxation. We do not wish that there should be any hardship upon the people, what to say upon the zamindars who are our friends and benefactors. Under these circumstances I hope that my motion will be adopted by this House and that my friend Mr. Fazl-ur-Rahman Khan in the best interest of the Pathans of Shahjahanpur will vote with me and not vote against me. I represent the city of Shahjahanpur and he represents the *deh*. He is within my constituency. I ask him, I entreat him, to vote with me and not go astray. Under these circumstances I believe that my amendment will be adopted.

The Hon'ble the President : The motion before the House is that in clause 3 of the Bill the following words be deleted, viz, "(ii) the heirs, successors and assigns of such members, provided that such heirs, successors, and assigns are qualified under the second schedule of the United Provinces Electors Rules or such other rules as may for the time being be in force as electors for one of the Agra landholder's constituencies."

The question, that the above words stand part of the Bill was put and the House divided as below :—

Ayes (51);

Abdul Bari, Mr. Muhammad.
Abdul Qayum, Haji.
Abdus Sami Khan, Lieut. Khan Bahadur Nawabzada.
Abhainandan Prasad, Rai Bahadur Babu.
Ahmad Sa'id Khan, The Hon'ble Lieut. Nawab Muhammad.
Badre Alam, Khan Bahadur Shah.
Baird, Colonel R. F.
Bikram Singh, Thakur.
Bisheahwar Dayal Seth, Kunwar.
Blunt, Mr. E. A. H.
Channer, Mr. F. F. R.
Clarke, Mr. G.
Darwin, Mr. J. H.
Desanges, Mr. H. O.
Dodd, Mr. R. J. S.
Elliott, Sir Ivo.
Fasih-ud-din, Khan Bahadur Maulvi.
Fazl-ur-Rahman Khan, Khan Bahadur Maulvi Muhammad.
Habib-ullah, Maulvi Saiyid.
Hanumat Prasad Singh, Bhaya.
Hidayat Husain, Khan Bahadur Hafiz.
Jafer Hossain, Khan Bahadur Saiyid.
Jagannath Prasad, Rai Bahadur Chaudhri.
Jagdish Prasad, Kunwar.
Jamshed Ali Khan, Lieut. Nawab Muhammad.

Noes 55 ;

Kushal Pal Singh, Raja.
Lane, Mr. H. A.
Liaqat Ali Khan, Nawabzada Muhammad.
Mackenzie, Mr. A. H.
Mahbub Ali Khan, Khan Bahadur Hakim.
Masud-ul-Hasan, Khan Bahadur Mr.
McNair, Mr. A. W.
Muhammad Habib, Mr.
Muhammad Sajjad Ali, Khan Mirza.
Muhammad Yusuf, The Hon'ble Nawab.
Nihal Singh, Sirdar.
Norton, Mr. E. L.
Obaid-ur-Rahman Khan, Maulvi Muhammad.
O'Donnell, The Hon'ble Sir Sam.
Panna Lal, Mr.
Pim, Mr. . . W.
Pratap Bhan Singh, Thakur.
Rajeshwar Bali, The Hon'ble Rai.
Saiyid Muhammad *alias* Maiku Mian, Khan Bahadur.
Shambhu Dayal, Raja.
Shyam Lal, Babu.
Sri Kri-hna Dutt Dube, Raja.
Srivastava, Mr. J. P.
Wajid Hussain, Khan Bahadur Chaudhri.
Yorke, Mr. R. L.
Zia-ul-Haq, Khan Bahadur Shaikh.

Names.

Badan Singh, Chaudhri.
Badri Dutt Pande, Pandit.
Bhagwat Narayan Bhargava, Pandit.
Bhagwati Sahai Bedar, Baba.
Chintamani, Mr. C. Y.
Devata Prasad, Pandit.
Dharamvir Singh, Chaudhri.
Dube, Mr. A. P.
Govind Ballabh Pant, Pandit.
Gulab Singh, Thakur.
Hanuman Singh, Rai Bahadur Thakur.
Jagdish Prasad, Rai Bahadur Lala.
Kavendra Narayan Singh, Babu.

Khalil Ahmad Shah, Khwaja.
Manjit Singh Rathor, Thakur.
Mukandi Lal, Mr.
Mulchand Dube, Pandit.
Nemi Saran, Lala.
Rahas Bihari Tiwari, Pandit.
Sadayatan Pande, Pandit Shri.
Sadho Singh, Thakur.
Sankata Prasad Bajpai, Rai Bahadur
Pandit.
Shiva Shankar Singh, Thakur.
Uma Shankar, Babu.
Venkatesh Narayan Tivary, Pandit.

The Hon'ble the President : I may at this stage say that I have received a representation signed by several honourable members that I should sit as late as 8 p.m. I may say that it is absolutely the prerogative of the Chair, unless the House desires otherwise; that he should determine his own time to sit as late as he likes. I am not going to treat this request as a sort of precedent at all. But the Chair of course should be guided by the general wishes of the House in this matter. If the wish of the House is that it should adjourn at this stage, I am in their hands. If the House wishes to sit until a late hour I am equally in their hands. But personally I should like not to sit later than 6 p.m. today.

Pandit Govind Ballabh Pant : With your permission, Sir, I beg leave to move that the meeting be now adjourned. In making it I do not consider it necessary to advance many arguments. We have reached 5 p.m. The ordinary hour when the Council used to be dispersed has been reached. In the morning today we were told that if the business was not to come to an end today—though the original notice was that the Council should sit only up to this afternoon—it will be continued tomorrow also. I venture to submit, Sir, that it was a very exceptional practice that was introduced by means of that statement this morning. After all members who come to this House to attend to public business have other business also to attend to. But when surprises are sprung upon them. . .

The Hon'ble the President : May I request the honourable member to be brief?

Pandit Govind Ballabh Pant : I think, Sir, the Government could add one more day. I submit, Sir, that the usual hour when the Council should disperse having been reached, it having already been made known to you, if you will permit me to respectfully say so, that there are some members on this side of the House who have other business to attend to, who have to make preparations to get away from Lucknow, is it fair and proper that the business should not only not be suspended earlier but that it should be prolonged further? Yesterday some honourable members of this House—among whom I do not include myself—made the request that the Council should cease its business earlier than its usual hour. Today those very gentlemen are approaching you with the request that it should be prolonged further. Is there any consistency about it all? Are we here only to register the wishes of those who in respect of a particular measure happen to be in the majority, or are we here to look, so far as the convenience of the members

[Pandit Govind Ballabh Pant.]

go, to the convenience of every individual member of this House? Most respectfully I submit that you as President should not in this matter be guided by the wishes of the majority in this House. You have to see what the underlying motives are, what the objects are with which certain steps are being taken. So I submit that the House should now adjourn. The ordinary hour has been reached. When everything is being rushed through in such manner, I submit that we are making a mockery of the rules of legislative procedure that we have prescribed for ourselves.

The Hon'ble the President: As a reference has been made to the Chair by the honourable member for Naini Tal I may say that the Chair cannot certainly look into the motives of any section of this House. As regards the practice in this matter, the practice has varied. We have adjourned about quarter past four or half-past four or even at five or later or earlier as it suits the convenience of the House, to be determined by the occupant of the Chair. I remember also that when I was on the floor of the House there were at least two occasions when we sat very late. When, for example, the Allahabad University Bill was under consideration we sat late; and so also when the District Boards Bill was being discussed. The honourable member for Partabgarh will bear me out there. I may at the same time point out that the general convenience of the members of the House ought to be taken into consideration, and so I will appeal to the majority party to have some regard for the other section of the House. As a compromise I should like to suggest that the meeting be adjourned at about 5-30 p. m.

Pandit Govind Ballabh Pant: May I know what will be the advantage if we sit for half an hour more?

The Hon'ble the President: It is only a sort of compromise. May I know what the views of the leader of the House are in the matter?

The Hon'ble Sir Sam. O'Donnell: I cannot help feeling that if this Bill has to be dealt with in the way in which it has been discussed so far...

Pandit Govind Ballabh Pant: Without its reference to a select committee.

The Hon'ble Sir Sam O'Donnell:it is inevitable that the Council must sit late, and if, the honourable members opposite are put to any inconvenience, they have got themselves to blame. It is for the House to say whether they wish to stay later or not.

The Hon'ble the President: What about my suggestion that the House might sit till 5-30 p. m.?

The Hon'ble Sir Sam O'Donnell: It is already 5-10. It entirely depends on what tactics the opposite benches will pursue.

Pandit Govind Ballabh Pant: What about your tactics?

The Hon'ble Sir Sam O'Donnell: There have been no tactics on our side.

Pandit Govind Ballabh Pant: May I ask the Hon'ble the Finance Member what he means by "our side"?

The Hon'ble Sir Sam O'Donnell: I speak for myself.

The Hon'ble the President: As the suggestion for compromise has not met the wishes of both sides of the House, I have no alternative but to put the motion of adjournment to the House.

Rai Bahadur Lala Mathura Prasad Mehrotra: May I point out that there is an anniversary of the late M. Kali Prasad Kulbhaskar to be celebrated this evening?

The Hon'ble the President: Order; Order. The question is that the meeting be now adjourned.

The question was put and the House divided as below:—

Ayes 30;

Noes 46.

Ayes.

Badan Singh, Chaudhri.
Badri Dutt Paude, Pandit.
Bhagwat Narain Bhargava, Pandit.
Bhagwati Sahai Bedar, Babu.
Chintamani, Mr. C. Y.
Devata Prasad, Pandit.
Dharamvir Singh, Chaudhri.
Dube, Mr. A. P.
Govind Ballabh Pant, Pandit.
Gulab Singh, Thakur.
Hanuman Singh, Rai Bahadur Thakur.
Hanumat Prasad Singh, Bhaya.
Jagaunath Bakhsh Singh, Raja.
Jagdish Prasad, Rai Bahadur Lala.
Kavendra Narayan Singh, Babu.
Khalil Ahmad Shah, Khwaja.

Manjit Singh Rathor, Thakur.
Mathura Prasad Mehrotra, Rai Bahadur Lala.
Muhammad Ibrahim, Hafiz.
Mulchand Dube, Pandit.
Nemi Saran, Lala.
Rahas Bihari Tiwari, Pandit.
Sadayatan Pande, Pandit Shri.
Sadho Singh, Thakur.
Sankata Prasad Bajpai, Rai Bahadur Pandit.
Shiva Shankar Singh, Thakur.
Srivastava, M. J. P.
Uma Shankar, Babu.
Venkatesh Narayan Tivary, Pandit.
Zahur-ud-din, Maulvi.

Noes.

Abdul Bari, Mr. Muhammad.
Abdul Qayum, Haji.
Abdus Sami Khan, Lieut. Khan Bahadur Nawabzada.
Abhainandan Prasad, Rai Bahadur Babu.
Ahmad Sa'id Khan, The Hon'ble Lieut. Nawab Muhammad.
Ahmad Shah, Mr. E.
Baird, Colonel R. F.
Bikram Singh, Thakur.
Blunt, Mr. E. A. H.
Channer, Mr. F. F. R.
Clarke, Mr. G.
Darwin, Mr. J. H.
Desanges, Mr. H. C.
Dodd, Mr. R. J. S.
Elliott, Sir Ivo.
Fasih-ud-din, Khan Bahadur Maulvi.
Fazl-ur-Rahman Khan, Khan Bahadur Maulvi Muhammad.
Habib-ullah, Maulvi Saiyid.
Hidayat Husain, Khan Bahadur Hafiz.
Jafer Hosain, Khan Bahadur Saiyid.
Jagannath Prasad, Rai Bahadur Chaudhri.
Jagdish Prasad, Kunwar.
Jamshed Ali Khan, Lieut. Nawab Muhammad.

Kushal Pal Singh, Raja.
Lane, Mr. H. A.
Mackenzie, Mr. A. H.
Mabub Ali Khan, Khan Bahadur, Hakim.
Masud-ul-Hasan, Khan Bahadur, Mr.
McNair, Mr. A. W.
Muhammad Habib, Mr.
Muhammad Sajjad Ali, Khan Mirza.
Muhammad Yusuf, The Hon'ble Nawab.
Norton, Mr. E. L.
Obaid-ur-Rahman Khan, Maulvi Muhammad.
O'Donnell, The Hon'ble Sir Sam.
Panna Lal, Mr.
Pim, Mr. A. W.
Pratap Bhan Singh, Thakur.
Rajeshwar Bali, The Hon'ble Rai.
Saiyid Muhammad alias Maiku Mian, Khan Bahadur.
Shambhu Dayal, Raja.
Shyam Lal, Babu.
Sri Krishna Dutt Dube, Raja.
Wajid Husain, Khan Bahadur Chaudhri.
Yorke, Mr. R. L.
Zia-ul-Haq, Khan Bahadur Shaikh.

Khan Bahadur Hafiz Hidayat Hussain: I beg to move that in clause after the word "constituencies" a "semi-colon" be substituted for the "full-stop" and the following words be added:—

"Provided further that any person who becomes so liable as an heir, successor or assignee may divest himself of his liability by giving notice in writing to the collector of any district in which he pays land revenue within six months of his becoming so liable that he does not desire to be a member of the association".

[Khan Bahadur Hafiz Hidayat Husain.]

I do not think that many words are needed to commend this amendment to the acceptance of the House. I can only say that much of the sting that attaches to the Bill and which has been so much made of by the opposers of the Bill will disappear if my amendment is accepted. This amendment further provides for the deterioration in value of the property if the present holder is at any time required to alienate it to provide against debts.

The Hon'ble the President : I find that there is an amendment in the name of Rai Bahadur Lala Jagdish Prasad which is No. 20 and he can move it as an amendment to the amendment of Khan Bahadur Hafiz Hidayat Husain. He should move that for the words "may divest himself . . . of the association" the following be substituted to the amendment "has consented in writing to be enrolled as a member of the association".

Rai Bahadur Lala Jagdish Prasad : I beg to move that in the amendment before the House for the words "may divest himself of his liability by giving notice in writing to the Collector of any district in which he pays land revenue within six months of his becoming so liable that he does not desire to be a member of the association" the following words be substituted :—"has consented in writing to be enrolled as a member of the association". The amendment of Khan Bahadur Hafiz Hidayat Husain no doubt mitigates the hardship of this clause to some extent, but to me it seems that it imposes another responsibility on the heir, successor or assign of a member of the association to the effect that such an heir, successor or assign should divest himself of his liability to pay by giving a notice to Collector within six months of his becoming so liable. My submission is that if you want to bind down the heir, successor or assign of a member of the association in the matter of payment let him at least say in writing first that he wants to become a member of the association. Why should such an heir or successor or assign be bound down without his consenting to become a member? The amendment of my friend the Khan Bahadur Sahib does not take into consideration the point that such an heir, successor or assign, although he shall be liable to pay if he fails to divest himself of the responsibility within six months, yet he will not be a member of the association all the same. I do not consider it just that a person should be liable to contribute to the funds of the association without becoming a member. To me it seems, Sir, that such an heir or successor or assign will not be a member of the association in the terms of my honourable friend's amendment although he will be liable to pay his contribution. What I propose is that an heir, successor or assign should be bound down to contribute to the funds of the association, provided he has consented to be a member of the association.

I may say, Sir, that in proposing this amendment or other amendments I am prompted by the best of motives. My motive is simply to safeguard and protect the interest of the zamindars. I hope my amendment will commend itself to this Honourable House.

Chaudhri Dharamvir Singh : I congratulate the honourable member for the Muzaffarnagar constituency for his wisdom in bringing a motion of the character he has brought forward. In doing so I suppose he has been

actuated by the best of motives. His desire seems to be to give freedom to members their heirs, assigns, and successors to this effect that they may get themselves rid of the liability to pay the subscription to Landholders' Association at any time they please. I think, Sir, that this is the most reasonable thing that can be put forward. What the amendment of Khan Bahadur Hafiz Hidayat Husain will lead to will be a sort of life membership. In order that the Bill may take a beneficent form, it is but natural that we should accept the amendment of Rai Bahadur Lala Jagdish Prasad. In the presence of so many beneficent amendments having been defeated, let us see what the amendment of Khan Bahadur Hafiz Hidayat Husain will lead us to. The position will become like this. As under the Agra Tenancy Act a life tenant remains a life tenant once he takes his plough to the land, once his name is entered in the register of the patwari. Similarly, here if a member makes up his mind to attend one meeting of the association and by sign or word of mouth he shows that he is desirous of becoming a member, that membership of his is a life membership, because, according to this amendment, his heirs and successors and others have the option of getting themselves rid of the liability of payment. So that the liability of payment is a life liability. Just as under the Agra Tenancy Act some time is allowed to the heirs, say five year's cultivation, so my friend has been good enough to fix a period of six months. Sir, I will put this question to him and to the supporters of the Bill that if for instance a particular gentleman forgets to send his intimation to the Collector of his intention to discontinue the liability that was imposed upon him, within six months and one day after the expiry of the six months he proposes to do so, what will be his fate? Why do you in this case put a period of six months? It is a matter of great surprise to me. Has the period of six months anything magical or charming or beautiful about it? I think it should be left to the heir, assign, and successor to choose his own time. There seems to be no reason why you should bind the heirs who may be by misfortune or fortune minors or widows or insane or half sane or ill. Sir, it is not difficult for a person to fall ill for a period of one year and in that state of health it is absolutely impossible for him to make up his mind whether he will or will not resign his membership and liability. Long illness is not extraordinary in this world; my own case is before this House. I fell ill, for a number of months; it was not possible for me to attend to public duties and I forgot everything. Then is it not impossible that on account of one's protracted and long illness a gentleman may forget to get himself rid of his liability? There are other reasons impelling me to put before the House why this amendment should not be accepted. The amendment reads "In clause 3 after the word 'constitueneies' substitute a 'semi-colon' for the 'full-stop' and add the words—

"Provided further, that any person who becomes so liable as an heir successor or assignee may divest himself of his liability by giving notice in writing to the collector of any district in which he pays land revenue within six months of his becoming so liable that he does not desire to be a member of the association."

Let us see what is the position of such an assignee as regards membership. The Bill says "the following persons shall be liable to contribute

[Chaudhri Dharamvir Singh.]

to the funds of the association, during the continuance of the association, namely:—

- (i) all members of the association other than honorary members.
- (ii) the heirs, successors, and assigns of such members, provided that such heirs, successors, and assigns are qualified under the Second Schedule of the United Provinces Electoral Rules or such other rules as may for the time being be in force as electors for one of the Agra landholders' constituencies.

So that the wording of the Bill does not make the heirs, successors, and assigns members. It simply puts upon them the liability to contribute. The Bill does not say that such heirs, that such assigns, that such successors shall automatically become members. Logically there ought to have been some proviso to this effect, and unless a proviso is inserted, how illogical, how absurd, how unreasonable and how much out of place these words become. There is no question of his desire whether he wishes to be a member of the association or not, because the Bill does not contemplate that. The Bill requires that, whether he is a member or not, he must contribute. Whether the gentleman has become a member or not, it is his bounden duty, his legal duty, and perhaps in the opinion of my friends opposite and on my left, his sacred duty to contribute to the funds of the association. It is only this that they want him to do. They do not want that he should become a member. It is possible that if he becomes a member it may be inconvenient for those who are occupying offices in the beneficent and much-talked-of Zamindars' Association to face him. So that I say that the framers of the Bill had in their minds a sinister motive. My honourable friend, the learned leader of our party, today said that perhaps the framers of the Bill

The Hon'ble the President : I would request the honourable member to confine himself to the amendment. We cannot have argument and counter-argument repeated over and over again.

Chaudhri Dharamvir Singh : Perhaps I have not been able to put my arguments in a clear form.

The Hon'ble the President : The honourable member has already taken fifteen minutes but yet has not made himself intelligible.

Chaudhri Dharamvir Singh : What I want to say is this, that Khan Bahadur Hafiz Hidayat Husain's amendment contemplates the heirs or the assigns or successor to be a member and his amendment gives him the option to give to the Collector a notice in writing that he does not wish to be—a member that is what his amendment purports to be—while the Bill does not necessarily impose on the heir or the assign or successor the membership of the association. So that it is not necessary that the man should be a member of the association. But even if he is not a member he is liable to pay so far as the wording of the Bill is concerned ; because the Bill does not say that the heirs, successors or assigns of members shall be members, but the heirs, successors, and assigns will be liable to pay the subscription whether they are members or not. What I say is this, that it is not by way of omission, it is not because the thing did not occur to the opposite benches, to the

cross benches and to the supporters of this Bill that this omission is there, but that this omission has been made purposely. There was a sinister motive behind it and the motive that they had is this that they want contributions only. They do not want the contributors to be members, because if the contributors become members then they may obstruct them, they may unseat the officers that are there. The wording of the amendment is inconsistent with that of the Bill. If they do not contradict each other, then Khan Bahadur Hafiz Hidayat Husain's amendment is superfluous or beyond the scope of the Bill. Therefore, because of the superfluity and carelessness of the wording of Khan Bahadur Hafiz Hidayat Husain's amendment, because of the fact that what he desires is not required at all on account of the language of the Bill, I request the honourable members of this House to reject this amendment *in toto*.

Then, Sir, my other objection to this amendment is this, that if this amendment is accepted, it will simply mean that only those zamindars who are eligible as electors of the Agra landholders' constituency, that is to say, only those who pay a land revenue of Rs. 5,000 or more will become members of the association, whereas if the association wishes that it might do some useful work, other people who are not eligible to be electors should also be members of the association.

The Hon'ble the President : That is not the point before the House.

Chaudhri Dharamvir Singh : If the amendment of Khan Bahadur Hafiz Hidayat Husain is accepted, it will mean what I have said. On the other hand, the amendment of my friend the member for Muzaffarnagar makes it quite clear that a person who is an heir, assignee or successor will have a right of resignation at any time he pleases. It may be that on account of certain engagements he may not be able to fulfil the requirements of the law which the Khan Bahadur wants him to do, but if Lala Jagdish Prasad's amendment is accepted, it gives to the individual concerned complete freedom and puts no time-limit in his way. I am afraid that even the amendment of Rai Bahadur Lala Jagdish Prasad does not go so far as perhaps we would like it to go, but I remember a well-known saying that even half a loaf is better than no bread. So in the circumstances no other option is left to us than to accept the amendment of Rai Bahadur Lala Jagdish Prasad. The argument in favour of it is that it is consistent, it is logical, and though it may not be considered a very strong reason, it is brief. On account also of the brevity of that amendment it is more preferable than the very long amendment of Khan Bahadur Hafiz Hidayat Husain.

Maulvi Muhammad Obaid-ur-Rahman Khan : Is the honourable member allowed to repeat the same arguments which he already once used ?

The Hon'ble the President : I am afraid the honourable member has given more stimulus to Chaudhri Dharamvir Singh to speak. He should, however, realize that he has been speaking for half an hour over an amendment. I think he should have exhausted his arguments by now. There is a Standing Order No. 16 (paragraph 51 of the Manual) which says that a member while speaking must not use his right of speech for obstructing the business of the Council. I do not say that it applies to him, but I may remind the honourable members of the existence of this order.

Chaudhri Dharamvir Singh : I thank you for the courtesy and kindness shown to me in not imputing motives to me which perhaps my other friends are ready to do, and it is but right and just that persons like myself should get protection at the hands of the Chair.

My friend just said that I was repeating arguments. I may tell him that not a single argument was repeated by me. Neither is it by way of obstruction that I am standing and delivering this speech. It is a very serious affair; we are going to make an enactment which will remain on the statute-book for ever and ever.

Several honourable members—"No, No."

Chaudhri Dharamvir Singh : I mean to say for a long time.

The Hon'ble the President : Will the honourable member kindly confine himself to the amendment.

Chaudhri Dharamvir Singh : As regards the amendment I only want to say that the amendment of Rai Bahadur Lala Jagdish Prasad is appealing, just, and proper and I request the house to give whole-hearted support to it and not be led away by party feelings and party motives.

Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan : I beg to move an amendment to the amendment of Khan Bahadur Hafiz Hidayat Husain Sahib that in line 8 of his amendment "six months" be deleted and in place of those words "one year" be substituted. The reason is obvious. I want that heirs, successors, and assigns should have sufficient time to decide whether they would like to join the association or not. Six months are not sufficient in my opinion. With these few words I commend my amendment to the acceptance of the House.

Rai Bahadur Chaudhri Jagannath Prasad : Two amendments have been moved. I have already intimated to the House that I am prepared to accept the amendment moved by my friend Khan Bahadur Hafiz Hidayat Husain as amended by my friend on the right, Khan Bahadur Maulvi Fazl-ur-Rahman Khan. Now, the only thing . . .

Rai Bahadur Lala Mathura Prasad Mehrotra : On a point of order. The amendment of my friend from Shahjahanpur is not before the House.

The Hon'ble the President : Why ?

Rai Bahadur Lala Mathura Prasad Mehrotra : He has not moved it; he asked for permission only.

The Hon'ble the President : I think he has.

Khan Bahadur Maulvi Fazl-ur-Rahman Khan : I have moved it.

The Hon'ble the President : The honourable member says that he has moved it and I must take his word.

Rai Bahadur Chaudhri Jagannath Prasad : The only point to be considered at this moment is, whether I am right in accepting the amendment of my friend Khan Bahadur Hafiz Hidayat Husain or the amendment of my friend Rai Bahadur Lala Jagdish Prasad ought to have been accepted. There is one thing to be considered. The one amendment makes it obligatory on the heir, successor or assign to give the information whether he likes to continue as a member or not while the amendment suggested by my friend from Muzaffarnagar makes it

compulsory on the executive of the association to serve the assign, heir or transferee with a notice whether he likes to remain as a member or not. Let us see which is the proper and easiest thing to do. It will be very difficult for the executive of the association who have to carry on the association to depute persons at the door of every person as soon as he dies as the association must have that information. The association will have to depute persons to examine all the registration officials whether any transfer has been made or not. I do not see how any member of the House who has got the sense to understand a thing rightly will say that the other amendment is a better one. The amendment suggested by Khan Bahadur Hafiz Hidayat Husain gives an option to the heir, assign or transferee of remaining a member or not. That justifies the suggestion. Certainly the heir should not be compelled—I accept it as a very good amendment; the assignee should not be compelled; the transferee should not be compelled; but to say that it should be the business of the association to inquire whether any member of the association has died or not, whether he has transferred any property or not, whether he has made any gift or not, is, I think, simply absurd. I therefore accept the amendment of my friend Khan Bahadur Hafiz Hidayat Husain as amended by Mr. Fazl-ur-Rahman Khan.

Khan Bahadur Mr. Masud-ul-Hasan : I move that the question be now put.

Pandit Venkatesh Narayan Tivary : My esteemed and honourable friend Khan Bahadur Hafiz Hidayat Husain has deservedly won his title to be considered a wit on account of the brevity of the speech with which he has moved his amendment. I offer my hearty congratulations to him on the acceptance of his amendment by the member in charge of the Bill. Those of us who attended the Council session at Naini Tal would remember the fate which met one of the inspired amendments of which he had been allowed to give notice. Today, therefore, I am inclined to offer him my heartiest congratulations that the same fate has not awaited the amendment of which he was allowed to give notice on the present occasion. The reasons are obvious enough. This amendment had to be accepted by the promoters of this Bill if they were anxious to get through this measure: otherwise, I am afraid,—and they will not contradict me when I say, that if they did not accept the amendment—not only this amendment but the other amendment as well of which he has given notice, the fate of this Bill would be sealed.

Now, Sir, so far as the relative merits of these two amendments are concerned, I am inclined to support the amendment which has been moved by the honourable member for Muzaffarnagar, and in doing so I shall confine myself strictly to the merits of the two amendments. But before I do so, I should like to urge that the acceptance of this amendment by the honourable member for Unao certainly takes away the sting to a certain extent from the Bill as it was drafted and presented to this Council. By the acceptance of this amendment, the honourable member for Unao has made it clear that there can be no analogy between the case of this Bill and the British Indian Association Contribution Act. There, the heirs, successors, and assigns have not got the right of contracting out of the liability by giving a notice either within six months,

[Pandit Venkatesh Narayan Tivary.]

one year or two years. By the acceptance of this amendment of Khan Bahadur Hafiz Hidayat Husain the promoters of the Bill have admitted the force of the objection which we have been urging from this side of the House during the last two or three days. Now, Sir, so far as the heirs, successors, and assigns are concerned, under the amendment of Khan Bahadur Hafiz Hidayat Husain the responsibility is thrown on them because the responsibility of contracting out of the liability is thrown on them under the Act while the amendment of my friend from Muzaffarnagar makes it optional for the heir, successor or assign if he so chooses, to apply for the membership of the association, or not. Under the one the omission, the failure to do one act, that is, the omission to apply, will rivet the liability on him for his lifetime, while under the other amendment it will be for the executive of the association to find that out. Under the amendment of the honourable member for Muzaffarnagar the commission of an act will alone make him responsible for the liability under the Act. I appreciate the generosity shown by the honourable member in charge of the Bill in having accepted the amendment of Khan Bahadur Hafiz Hidayat Husain. I think he would be regularizing the position of the heirs, successors, and assigns even better if he showed a little more generosity and accepted the amendment of the honourable member for Muzaffarnagar. So far as I am concerned, I do not think it right that this Council should impose this liability on the heirs, successors, and assigns of a member of the association. It should not throw the responsibility on these people for contracting out of the liability if they so desire. We have been told so often by the member in charge of the Bill that they sent out to all members of the association, not once or twice but three times, copies of the Bill, and how long they are to wait if they do not get replies from them. Knowing as he does the habit of Indian gentlemen he ought not to have been surprised that the members are very loath to reply to the communications which they receive. I for one am one of those who plead guilty to this charge. I believe rather in the dictum of Napoleon that if you keep your letters unreplyed to for three weeks, 99 per cent. of them will not need any answer. I think in this I am a true representative not only of the majority of the members of this House but of the majority of zamindars. Therefore it is not fair, it is not proper that, in case they fail to serve this notice on the Collector of the district in which they reside, they should be made liable to contribute to the funds of this association. On the other hand, you should consider the state of things that prevails in these provinces. Do not throw this liability on them, but let them incur the liability if they so desire by formally applying to the association to be enrolled as its members. The supporters of the Bill have succeeded in making the members liable for their life, they have succeeded in throwing out the amendment which, if adopted, would have enabled the members to resign their membership of the association. Having got this much, why should they be so rapacious, so avaricious as not to let go even the heirs, successors and assigns? Let them be for once generous. We plead for those who for want of education or for want of sufficient public spirit have not yet asserted their right of either sending objections to the Council or ventilating their grievances in the columns of

newspapers. Is it fair, is it proper, is it just that, while we are aware of the state of things that prevails in these provinces, we should be enacting a provision of this kind under which the heirs, successors, and assigns will be liable to contribute to the funds of this association during their lifetime, because they failed to serve this notice on the Collector? I should like to know how many of them will be even aware of this fact that a Bill of this character has been placed on the statute-book. In these circumstances I once more appeal to the honourable member in charge of this measure to accept the amendment moved by the honourable member for Muzaffarnagar.

Several motions for closure were made.

The Hon'ble the President: I have just received notice of an amendment from Lala Nemi Saran. I will put the closure as soon as he has moved his amendment unless it requires a debate.

Lala Nemi Saran : I move, Sir, that in the amendment of Khan Bahadur Hafiz Hidayat Husain for the period "six months" the words "three years" be substituted.

My reasons for moving this amendment are not that I like the amendment or even the amendment as amended by me. I am in fact, Sir, in favour of the amendment of Rai Bahadur Lala Jagdish Prasad, but as a matter of prudence I have moved this amendment so that I may not lag behind when those motions are put to the House and the motion of Rai Bahadur Jagdish Prasad is defeated. I have chosen, in other words, the lesser of two evils. I would try to distinguish between the two amendments which are before the House and show the House that while one moved by Khan Bahadur Hafiz Hidayat Husain is illogical, and is one which cannot possibly be interpreted rightly by any legal mind, and at the same time it is an amendment not in consonance with the principles of democracy of today, on the other hand the amendment of Rai Bahadur Lala Jagdish Prasad is one which is most reasonable and brings some sense into this Bill which has otherwise little sense in it. Referring to the rules of the association I would draw the attention of honourable members to rule 4(a) which says that any zamindar who pays Rs. 5,000 as annual revenue and so on can become a member of the association provided he is duly elected and enlisted. Here in the amendment I find that the honourable mover has pre-supposed the existence of a rule, the absence of which I had complained of formerly, that the heirs, successors, and assigns of the members of the association are *ipso facto* members of the association. The amendment if read would make my point clear. It is that any person who becomes so liable may divest himself of his liability by giving notice in writing to the Collector of any district in which he pays land revenue within six months of becoming liable that he does not desire to be a member of the association. Where, Sir, is the point of a member or a person giving notice to the Collector that he does not wish to be a member when as a matter of fact he is not yet a member and must be duly elected and enlisted to become so? The sense of this procedure is not at all clear to me. If a little more common sense is exercised and party prejudices are left out, I would request the House to look at this question from this point of view. By refusing to accept the former amendments you have decided that a member of the association cannot resign in his lifetime. Further, you want that the heirs,

[Lala Nemi Saran.]

successors, and assigns of such a member shall be liable to pay the contribution. According to this amendment, which is accepted by the honourable member in charge of the Bill, you at the same time accept—

The Hon'ble the President : " You " means the Chair.

Lala Nemi Saran : I beg your pardon, Sir. The House is going to commit itself to the view that these persons who are the heirs, successors, and assigns of the member—

Rai Bahadur Lala Mathura Prasad Mehrotra : On a point of order, Sir. It is past 6. How long will the Council go on ?

The Hon'ble the President : There is no point of order. The honourable member may go on.

Lala Nemi Saran : This amendment, if carried, will mean that you do not give a person the right to become a member, but you tell him that if he wants to divest himself of the liability imposed by this Bill he must give notice in writing of his intention that he does not want to become a member. There is no question of his becoming a member or of his willingness to become a member when he is not elected or when he is not *ipso facto* a member by virtue of his being such an heir, successor or assign. The amendment of Rai Bahadur Lala Jagdish Prasad says quite properly, "provided that such heirs, successors, and assigns have consented in writing to be enrolled as members of the association." I do not understand where the difference in substance comes in. What is it that is preventing the honourable member in charge of the Bill from accepting the amendment of Rai Bahadur Lala Jagdish Prasad ? The position seems to be this : the honourable member in charge of the Bill and his supporters have conceded that heirs, successors, and assigns should have freedom to keep themselves out of this liability if they so choose. Now, it is for this House to find out what is the best and logical way of giving them this right. Therefore I would put before the House for its consideration these two points—whether, as suggested in the amendment of Rai Bahadur Lala Jagdish Prasad, you give them the right of becoming a member within a certain time and thereby of electing the obligations imposed by this Bill or whether you wish that these obligations should be retained by him *ipso facto* by virtue of his being an heir, successor or assign unless he repudiates such obligations. Even if the latter be the purpose of the House, the majority of the members of the House, I am absolutely certain that the draft put before us in the form of the amendment of Khan Bahadur Sahib is not a logical one. Let them clearly say that he should give notice in writing that he is not going to become a member. It would be better if the Khan Bahadur Sahib had said in the amendment "provided further that any person who becomes so liable as an heir.....by giving notice in writing to the Collector of any district in which he pays land revenue within six months of his becoming so liable, *that he does not want to become liable*" or something like that. I am afraid this amendment was never put before the Legal Remembrancer. I would request the honourable Legal Remembrancer to let us know how this matter stands, whether it is logical to

ask a person who is not *ipso facto* a member to exercise the right of resignation as this amendment suggests.

The Hon'ble Sir Sam O'Donnall : Is this relevant to the amendment, Sir? The honourable member proposed an amendment substituting three years for six months. He is now proceeding to argue that the whole amendment which he has proposed is illogical.

The Hon'ble the President : As far as logic is concerned it is a matter for argument. But as the honourable member cannot take part in this debate more than once, he is entitled to speak on the other amendment.

Lala Nemi Saran : As a matter of fact I had made my position clear in the very beginning that I do not wish to support this amendment and that as a matter of prudence only I had moved this amendment to the amendment of Khan Bahadur Sahib.

The Hon'ble the President : The honourable member can go on.

Lala Nemi Saran : In the end I would just request the House to look at the two amendments dispassionately and find out which of the two is better. I have moved this amendment so that, in case the amendment of Rai Bahadur Lal Jagdish Prasad is thrown out, the amendment of Khan Bahadur Sahib may be a little improved. The honourable member for Shahjahanpur has already moved an amendment that instead of six months it should be one year. I have moved an amendment that it should be three years. It may be argued that you are giving them a period of three years and during this period the heirs, successors, and assigns shall be liable to pay the obligation imposed by this Bill. Quite true. They would be. What I want by this amendment is that there should be sufficient time for the heirs, successors, and assigns to judge their own position and to see whether they are willing to be members of this association or not.

So long as they do not give it out in writing according to the amendment of Khan Bahadur Sahib they will be liable to pay the amount which is imposed upon them under this Bill. My reason for preferring three years is this. As already has been pointed out, there will be difficulty to find out who these heirs, assigns, and successors are. Suppose there is litigation regarding the position of these heirs, successors, and assigns. From which point of time will this six months, or one year or three years be calculated?

Khan Bahadur Mr. Masud-ul-Hasan : From the time of death.

Lala Nemi Saran : I do not hear what the honourable member is saying. I may be able to find what he said from the speech that may be made after this. Generally in big zamindaris and estates there are disputes regarding succession and it takes generally a very long time before the question is decided. In that case six months or even one year will be too little a period. As far as the legal position is concerned, I am myself in doubt whether the person who has succeeded to an estate after a litigation of 12 years would be liable. If so, from what time is the period to be calculated? It is very difficult to move amendments in this big House when this Bill was never referred to a Select Committee. So I will content myself with the period of three

[Lala Nemi Saran.]

years. Another difficulty arises and it is this. If such heir, successor or assign is a minor, who is the person who would give in writing to the Collector the consent of the minor or widow, whether such a minor or widow is going to remain a member of the association or not? I wonder if a minor, on attaining the age of majority, will be in a position to repudiate the obligation to pay the contribution which has been imposed on him by his guardian. The result will be that there will be a considerable litigation. I should like to ask my friends if by having an amendment like this they would really be promoting the cause of the association itself. Would it not involve the association into litigation, not with foreigners, but with their own future members? Would it not retard the cause of the association? I hope in the circumstances the honourable member in charge of the Bill will accept my amendment.

Pandit Bhagwat Narayan Bhargava : I beg to move that in the third line between the word "assign" and "may" the following words be inserted, namely, "and who has been elected as a member of the association."

The reason for this amendment is that I do not approve either of the two amendments which are on the notice paper.

The Hon'ble the President : This appears to be a substantive amendment, which requires notice. Is there any objection to its being moved? Voices of "Yes" "Yes."

The Hon'ble the President : The amendment cannot be moved.

Khan Bahadur Mr. Masud-ul-Hasan : I move that the question be now put.

The question, that the question be now put, was put and the House divided as below:—

Ayes 49; Noes, 18.

Ayes.

Abdul Bari, Mr. Muhammad.
Abdul Qayum, Haji.
Abdus Sami Khan Lieut, Khan Bahadur Nawabzada.
Abhainandan Prasad, Rai Bahadur Babu.
Ahmad Sa'id Khan, The Hon'ble Lieut. Nawab Muhammad.
Ahmad Shah, Mr. E.
Baird, Colonel R. F.
Bikram Singh, Thakur.
Bisheshwar Dayal Seth, Kunwar.
Blunt, Mr. E. A. H.
Channer, Mr. F. F. R.
Clarke, Mr. G.
Darwin, Mr. J. H.
Desanges, Mr. H. C.
Dodd, Mr. R. J. S.
Elliot, Sir Ivo.
Fasih-ud-din, Khan Bahadur Maulvi.
Fasih-ur-Rahman Khan, Khan Bahadur Maulvi Muhammad.
Habib-ullah, Maulvi Saiyid.
Hidayat Hussain, Khan Bahadur Hafiz.
Jafar Hosain, Khan Bahadur Saiyid.
Jagannath Prasad, Rai Bahadur Chaudhri.
Jagdish Prasad, Kunwar.
Jamshed Ali Khan, Lieut, Nawab Muhammad.

Kali Charan Misra, Lieut. Raja.
Kishori Prasad, Babu.
Kushal Pal Singh, Raja.
Lane, Mr. H. A.
Liaquat Ali Khan, Nawabzada Muhammad.
Mackenzie, Mr. A. H.
Mahbub Ali Khan, Khan Bahadur Hakim.
Masud-ul-Hasan, Khan Bahadur Mr.
McNair, Mr. A. W.
Muhammad Habib, Mr.
Muhammad Sajjad Ali Khan, Mirza.
Muhammad Yusuf, The Hon'ble Nawab.
Norton, Mr. E. L.
Obaid-ur-Rahman Khan, Maulvi Muhammad.
O'Donnell, The Hon'ble Sir Sam.
Panna Lal, Mr.
Pim, Mr. A. W.
Pratap Bhan Singh, Thakur.
Rajeshwar Bali, The Hon'ble Rai.
Saiyid Muhammad alias Maiku Mian Khan Bahadur.
Shyam Lal, Babu.
Sri Krishna Dutt Dube, Raja.
Wahid Hussain, Khan Bahadur Chaudhri.
Yorke, Mr. B. L.
Zia-ul-Haq, Khan Bahadur Shaikh.

Noes.

Badan Singh, Chaudhri.
Badri Dutt Pande, Pandit.
Bhagwat Narayan Bhargava, Pandit.
Devata Prasad, Pandit.
Dharamvir Singh, Chaudhri.
Dube, Mr. A. P.
Gulab Singh, Thakur.
Haruman Singh, Rai Bahadur Thakur.
Jagdish Prasad, Rai Bahadur Lala.
Khalil Ahmad Shah, Khwaja.

Manjit Singh Rathor, Thakur.
Muhammad Ibrahim, Hafiz.
Mu'chand Dube, Pandit.
Nemi Saran, Lala.
Sadho Singh, Thakur,
Sankata Prasad Bajpai, Rai Bahadur
Pandit.
Shiva Shankar Singh, Thakur.
Venkatesh Narayan Tivary, Pandit.

Khan Bahadur Hafiz Hidayat Husain : I shall very briefly answer the arguments which have been advanced by the honourable members who have opposed my amendment. My friend the honourable member for Allahabad rural has congratulated me on the acceptance of my amendment by the honourable member in charge of the Bill. I think that I do not deserve his congratulation, because despite the dilatory tactics employed by him and his party, professedly representative of the zamindars, the progress of this Bill—designed mainly to promote the well-being of their constituents—breaking the barriers placed in its way must naturally be causing him and his party some discomfiture.

Two objections have been urged against the acceptance of my amendment.

The first objection is that my amendment contemplates that the heirs, successors, and assigns will be liable to pay, although under the rules and regulation of the association their membership is not contemplated. Reading the Bill as I do, its interpretation to me is, that the membership of the association shall descend to the heirs, successors, and the assigns of the existing members. Clause 3 of the Bill says that the following persons shall be liable to pay the contribution, viz., the present members and the heirs, successors, and assigns of such members, provided that these later fulfil a certain condition and that condition is the payment of land revenue aggregating to Rs. 5,000.

My friend Lala Nemi Saran has stated that it seems difficult for him to understand from what date the liability of such heirs should begin. He has suggested a period of three years because the title to the property may be disputed and it may take as long as three years to get the matter decided. If the dispute goes to the Privy Council it may even take twelve years. Why, then, this limit of three years and not twelve years? I admit that if the membership is going to descend to heirs, successors, and assigns, some time must be given to them in which they can divest themselves of this liability if they so choose, and I think that a year, as substituted in my amendment for six months and accepted by the member in charge of the Bill, is quite ample for the heirs, successors, and assigns to make up their minds one way or the other. I do not think there are any difficulties in the interpretation of the Bill so insurmountable as they appear to my friend Lala Nemi Saran.

The amendment of Rai Bahadur Lala Jagdish Prasad, which was an amendment to the amendment of Khan Bahadur Hafiz Hidayat Husain, was put and the House divided as below :—

Ayes, 22; Noes, 48.

Ayes.

Badan Singh, Chaudhri.
Badri Dutt Pande, Pandit.
Bhagwat Narayan Bhargava, Pandit.
Devata Prasad, Pandit.
Dharamvir Singh, Chaudhri.
Dube, Mr. A. P.
Gulab Singh, Thakur.
Hanuman Singh, Rai Bahadur Thakur.
Jagdish Prasad, Rai Bahadur Lala.
Kavendra Narayan Singh, Babu.
Khalil Ahmad Shah, Khwaja.
Manjit Singh Rathor, Thakur.

Muhammad Ibrahim, Hafiz.
Mukandi Lal, Mr.
Mulchand Dube, Pandit.
Nemi Saran, Lala.
Rahas Bihari Tiwari, Pandit.
Sadayatan Pande, Pandit Shri.
Sadho Singh, Thakur.
Sankata Prasad Bajpai, Rai Bahadur Pandit.
Shiva Shankar Singh, Thakur.
Venkatesh Narayan Tivary, Pandit.

Noes.

Abdul Bari, Mr. Muhammad.
Abdul Qayum, Haji.
Abdus Sami Khan, Lieut. Khan Bahadur Nawabzada.
Abhainandan Prasad, Rai Bahadur Babu.
Ahmad Sa'id Khan, The Hon'ble Lieut. Nawab Muhammad.
Ahmad Shah, Mr. E.
Baird, Colonel R. F.
Bikram Singh, Thakur.
Bisheshwar Dayal Seth, Kunwar.
Blunt, Mr. E. A. H.
Channer, Mr. F. F. R.
Clarke, Mr. G.
Darwin, Mr. J. H.
Desanges, Mr. H. C.
Dodd, Mr. R. J. S.
Elliot, Sir Ivo.
Fasih-ud-din, Khan Bahadur Maulvi.
Fazl-ur-Rahman Khan, Khan Bahadur Maulvi Muhammad.
Habib-ullah, Maulvi Saiyid.
Hidayat Husain, Khan Bahadur Hafiz.
Jafer Hosain, Khan Bahadur Saiyid.
Jagannath Prasad, Rai Bahadur Chaudhri.
Jagdish Prasad, Kunwar.

Jamshod Ali Khan, Lieut. Nawab Muhammad.
Kishori Prasad, Babu.
Kushal Pal Singh, Raja.
Lane, Mr. H. A.
Liaqat Ali Khan, Nawabzada Muhammad.
Mackenzie, Mr. A. H.
Mahbub Ali Khan, Khan Bahadur Hakim.
Masud-ul-Hussain Khan, Bahadur. Mr.
McNair, Mr. A. W.
Muhammad Habib, Mr.
Muhammad Sajjad Ali Khan, Mirza.
Muhammad Yusuf, The Hon'ble Nawab Norton, Mr. E. L.
Obaid-ur-Rahman Khan, Maulvi Muhammad.
O'Donnell, The Hon'ble Sir Sam.
Panna Lal, Mr.
Pim, Mr. A. W.
Pratap Bhan Singh, Thakur.
Rajeshwar Bali, The Hon'ble Rai.
Saiyid Muhammad alias Maiku Mian, Khan Bahadur.
Shyam Lal, Babu.
Sri Krishnu Dutt Dube, Raja.
Wajid Hussain, Khan Bahadur Chaudhri.
Yorke, Mr. R. L.
Zial-ul-Haq, Khan Bahadur Shaikh.

The Hon'ble the President: Another amendment has been moved by Khan Bahadur Maulvi Fazl-ur Rahman Khan to the amendment of Khan Bahadur Hafiz Hidayat Husain that for the words "six months" the words "one year" be substituted. A third amendment has been moved by Lala Nemi Saran that for the words "six months" the words "three years" be substituted.

The Hon'ble the President: The question is that the words "six months" stand part of the question i.e., the amendment proposed.

It was declared lost. A division was called and taken by honourable members standing in their seats. Nobody rose for the retention of these words.

The Hon'ble the President: The question is that for the words so deleted the words "one year" be inserted.

It was declared carried. A division was asked for. The Hon'ble the President asked those in favour of the insertion to stand in their seats. A large number of members rose. Against it, the following twelve stood and the five stood as neutrals :—

Against.

Badan Singh, Chaudhri,
Badri Dutt Pande, Pandit.
Bhagwat Narayan Bhargava Pandit.
Devata Prasad, Pandit.
Dharamvir Singh, Chaudhri.
Dube, A. P.

Gulab Singh, Thakur.
Manjit Singh Rathor, Thakur.
Nemi Saran, Lala.
Muhammad Ibrahim, Hafiz.
Rahas Bihari Tiwari, Pandit.
Sadho Singh, Thakur.

Neutrals.

Jagdish Prasad, Rai Bahadur, Lala.
Kali Charan Misra, Lieut. Raja.
Mukandi Lal, Mr.

Sankata Prasad Bajpai, Rai Bahadur
Pandit.
Shiva Shankar Singh, Thakur.

In view of the adoption by the Council of the amendment of Khan Bahadur Munshi Fazl-ur-Rahman Khan, the amendment of Lala Nemi Saran was not put.

The amendment of Khan Bahadur Hafiz Hidayat Husain as amended above was put and agreed to.

The Hon'ble the President : The question is that clause 3 as amended do stand part of the Bill.

The question that clause 3 do stand part of the Bill, was put and the House divided as below :—

Ayes 52. Noes 17.

Ayes.

Abdul Bari, Mr. Muhammad.
Abdul Qayum, Haji.
Abdus Sami Khan, Lieut. Khan Bahadur
Nawabzada.
Abhainandan Prasad, Rai Bahadur Babu.
Ahmad Sa'id Khan, The Hon'ble Lieut.
Nawab Muhammad.
Ahmad Shah, Mr. E.
Badre Alam, Khan Bahadur Shah.
Baird, Colonel R. F.
Bikram Singh, Thakur.
Bisheshwar Dayal Seth, Kunwar.
Blunt, Mr. E. A. H.
Channer, Mr. F. F. R.
Clarke, Mr. G.
Daryin, Mr. J. H.
Desanges, Mr. H. C.
Dodd, Mr. R. J. S.
Elliott, Sir Ivo.
Fasih-ud-din, Khan Bahadur Maulvi.
Fazl-ur-Rahman Khan, Khan Bahadur
Maulvi Muhammad.
Habib-ullah, Maulvi Saiyid.
Hanumat Prasad Singh, Bhaya.
Hidayat Husain, Khan Bahadur Hafiz.
Jafer Hosain, Khan Bahadur Saiyid.
Jagannath Prasad, Rai Bahadur Chaudhri.
Jagdish Prasad, Kunwar.
Jamshed Ali Khan, Lieut. Nawab Muhammad.

Kali Charan Misra, Lieut. Raja.
Kishori Prasad, Babu.
Kushal Pal Singh, Raja.
Lane, Mr. H. A.
Liaqat Ali Khan, Nawabzada Muhammad.
Mackenzie, Mr. A. H.
Mahbub Ali Khan, Khan Bahadur
Hakim.
Masud-ul-Hasan, Khan Bahadur Mr.
Mathura Prasad Mehrotra, Rai Bahadur
Lala.
McNair, Mr. A. W.
Muhammad Habib, Mr.
Muhammad Sajjad Ali Khan, Mirza.
Muhammad Yusuf, The Hon'ble Nawab.
Norton, Mr. E. L.
Obaid-ur-Rahman Khan, Maulvi Muhammad.
O'Donnell, The Hon'ble Sir Sam.
Panna Lal, Mr.
Pim, Mr. A. W.
Pratap Bhan Singh, Thakur.
Rajeshwar Bali, The Hon'ble Rai.
Saiyid Muhammad alias Maiku Mian,
Khan Bahadur.
Shyam Lal, Babu.
Sri Krishna Dutt Dube, Raja.
Wajid Husain, Khan Bahadur Chaudhri,
Yorke, Mr. R. L.
Zia-ul-Haq, Khan Bahadur Shaikh.

Noes.

Badan Singh, Chaudhri.
Badri Dutt Pande, Pandit.
Bhagwat Narayan Bhargava, Pandit
Devata Prasad, Pandit.
Dharamvir Singh, Chaudhri.
Dube, Mr. A. P.
Gulab Singh, Thakur.
Kavendra Narayan Singh, Babu.
Manjit Singh Rathor, Thakur.

Muhammad Ibrahim, Hafiz.
Mukandi Lal, Mr.
Nemi Saran, Lala.
Rahas Bihari Tiwari, Pandit.
Sadayatan Pande, Pandit Shri.
Sadho Singh, Thakur.
Sankata Prasad Bajpai, Rai Bahadur
Pandit.
Shiva Shankar Singh, Thakur.

The Hon'ble the President : I have been asked to sit longer, but I regret I cannot. I adjourn the Council till tomorrow.

APPENDIX A.

*(See page 366 supra).**Statement.*

Class.	Number of students.	Number of students who are residents of other provinces.
(1) Foreman dyers' class ...	28	12
(2) Artizan class ...	22	5

Non-U. P. students pay a fee of Rs. 100 per annum. They get no freeships.

APPENDIX B.

(See page 376 *supra*).

Statement referred to in answer to starred questions Nos 181 (a) and (b) and 182 (a) and (b) for December 21, 1927.

Name.	Kind of board.	Class representation or not.	Constitution.
(1) Agra ..	Elected board	Class representation ..	<i>Ex officio</i> 4 Nominated 4 Elected— Muslims 2 European and Anglo-Indian. 1 } 7 General electorate 4 }
(2) Bareilly ..	Do. ..	No class representation	Nominated 4 <i>Ex officio</i> 4 Elected 7
(3) Dehra Dun	Do. ..	Ditto ..	<i>Ex officio</i> 4 Nominated 1 Elected 4
(4) Meerut ..	Do. ..	Class representation ..	<i>Ex officio</i> 4 Nominated 4 Elected— Muslims 8 } 7 Non-Muslims 4 }
(5) Ranikhet..	Do. ..	Ditto ..	<i>Ex officio</i> 4 Nominated 3 Elected— Hindus 4 } 6 Muslim 1 } Others 1 }
(6) Fyzabad ..	Nominated..	..	<i>Ex officio</i> 4 Nominated 3
(7) Lucknow..	Elected ..	Class representation ..	<i>Ex officio</i> 4 Nominated 4 Elected— Muslims 2 } 7 Non-Muslims 5 }
(8) Fatehgarh	Nominated..	..	<i>Ex officio</i> 4 } Nominated 3 }
(9) Allahabad	Elected ..	No class representation (but class representation has been given to one ward only from 1927).	<i>Ex officio</i> 4 Nominated 4 Elected 7
(10) Cawnpore	Do. ..	No class representation	<i>Ex officio</i> 4 Nominated 4 Elected 7
(11) Benares ..	Nominated..	..	<i>Ex officio</i> 4 Nominated 3
(12) Jhansi ..	Elected ..	Class representation ..	<i>Ex officio</i> 4 Nominated 2 Elected— Muslim 1 } 5 Non-Muslims 4 }

APPENDIX C.

*(See page 376 supra).**Statement.*

Year.	Name.	Purpose.
1924	Mr. Sushil Kumar Pramanik	Research in Mathematics.
1925	Mr. Ajit Kumar Mitra ...	Research in Botany.
1926	Mr. S. N. Chakravarti ..	Research in Chemistry.
1927	Mr. Rama Shankar Tripathi	Research in Ancient Indian History.

APPENDIX D.

(See pages 377 and 378 *supra*.)

Tabular Statement in reply to starred questions Nos. 197, 198, 199, 200, 202, 203, 204, 205 and 206 and unstarred questions Nos. 5, 6, 39 and 40 for December 21, 1927.

Religious processions on which restrictions were imposed in the United Provinces between March 31, 1921 up to date.

Serial number of replies and district.	Number of religious processions on which restrictions were imposed by the local authorities as to routes and timings etc., between March 31, 1921 to date.	How many of the number asked in column 2 were Hindu processions and how many Muslim.		Names of places where religious processions were not taken out.	How many of the religious processions that were not taken out were Hindu processions and how many Muslim.		Number of orders issued under section 144, Criminal Procedure Code, during the last 12 months to regulate or restrict the course of processions, together with copies of the orders.	Remarks.
		Hindu.	Muslim.		Hindu.	Muslim.		
1. Etawah	10	6	4	Etawah, Phaphund and Dalainagar.	2	2	2	
2. Bahraich	5	4	1	..	..	..	3	
3. Dehra Dun	3	2	1	..	..	1	..	
4. Etah	1	..	1	Kaganj	..	..	..
5. Mirzapur	..	..	..	..	..	..	..
6. Banda	2	1	1	..	..	..	..
7. Basti	..	..	..	..	..	..	..
8. Partabgarh	5	2	3	Azamgarh city and Kopaganj.	1	1	..	
9. Azamgarh	2	2	..	Dogadda, Garhwal district.	2	..	..
10. Garhwal	52	22	20	Bangarmau	..	1	8	
11. Unao	..	..	..	..	..	..	..
12. Muttra	..	..	..	..	..	..	..
13. Fyzabad	..	..	..	..	..	..	..
14. Ballia	9	4	5	..	..	..	..

Tabular Statement in reply to starred questions Nos. 197, 199, 200, 204 and 205, for December 21, 1927.
Religious processions on which restrictions were imposed in the United Provinces between March 31, 1921 up to date.

Serial number of replies and district.	Number of religious processions on which restrictions were imposed by the local authorities as to routes and timings etc., between March 31, 1927 to date.	How many of the number asked in column 2 were Hindu processions and how many Muslim.		Names of places where religious processions were not taken out.	How many of the religious processions that were not taken out were Hindu processions and how many Muslim.		Number of orders issued under section 144, Criminal Procedure Code, during the last 12 months to regulate or restrict the course of processions, together with copies of the orders.	Remarks.
		Hindu.	Muslim.		Hindu.	Muslim.		
15. Gonda ..	32	17	15.	1	* Copies of the orders under section 144 will be supplied later if required. They refer to two villages in which Musalmans are forbidden to take out a procession which would be an innovation. This is done every year.
16. Jalaun ..	17	10	7	..	..	..	1
17. Cawnpore ..	6	..	6	..	..	..	3
18. Fatehpur ..	8	4	4	..	..	..	2*
19. Budaun..	1	1	..	Budaun city	1	..	..
20. Jaunpur ..	2	..	2	Jaunpur city and Bada-shahpur.	..	2	3	
21. Kheri ..	12	6	6	Lakhimpur	..	1	4	
22. Saharanpur ..	49	32	17	Saharanpur and Bhaagwanpur	3	5	..	One copy of section 144 order not available.
23. Jhansi ..	..	..	..	..	..	..	8
24. Pilibhit ..	28	11	17	(1) Bissalpur, (2) Purnapur, (3) Sunderpur, (4) Deona.	1	3	..	

1922.
Statement of communal riots in the United Provinces in 1922.

Serial number.	Place and date of occurrence.	Casualties.				Number of persons sent up for trial or tried by Criminal Courts.		Result of the cases tried (i.e. convictions.)		Names of officers in charge of districts and police stations in which the riot took place.				Remarks.
		Hindus.		Muslims.		Killed.	Wounded.	Hindus.	Muslims.	Name of District officer.	Superintendent of Police.	Police station.		
		Killed.	Wounded.	Killed.	Wounded.									
1	Bharatpur Gate, district Muttra, March 11, 1922.	There is no record about casualties.		..	..	10	2	3	2	Mr. A. F. Fremantle.	Mr. E. D. Smith.	B. Har Prasad	Kotwal.	.
2	Sonkh town, district Muttra, June 18, 1922	*	..	..	..	*	..	..	..	Do.	Mr. A. C. Blunden.	M. Noor Muham- mad.	..	* Six persons were wound- ed but it is not known how many were Hindus and how many Mus- lims. Action was taken under sec- tion 107 against 14 Muslims.
Total ..		..	..	..	..	10	2	3	2	..	..	..	..

1923.
Statement of communal riots in the United Provinces for the year 1923.

Serial number.	Place and date of occurrence.	Casualties				Number of persons sent up for trial or tried by Criminal Courts.	Result of the cases tried (i.e. convictions.)	Names of officers in charge of the district, police station etc. in which the riot took place.				Remarks.	
		3		4	5			6		7			
		Hindus.	Muslims.					District.	Police station.				
		Killed.	Wounded.	Killed.	Wounded.	Hindus.	Muslims.	District Magistrate.	Superintendent of Police.	Officer in charge.	City Kotwal.		
7	Saharanpur, August 24, 1923.	3	500	3	50	3	522	1	233	Mr. S. M. Habibullah.	Mr. P. H. T. Measures.	...	M. Khudadad Khan.
8	Gonda, August 24, 1923.	1	3	..	31	47	9	16	7	Mr. S. H. Thompson	Mr. Forbes	M. Ijad Muhammad Khan.	M. Ijad Muhammad Khan.
9	Baragaon, district Gonda, August 24, 1923.	..	..	..	2	2	..	2	..	Ditto	Ditto	Ditto	Ditto.
10	Alapur, district Budaun, August 24, 1923.	..	15	..	7	14	27	8	16	Mr. H. B. Nethersole.	Mr. R. N. Marsh Smith.	Ch. Maharaj Singh.	Ahmad Said.
11	Village Gariaon, district Jaunpur, August 24, 1923	..	..	..	1	11	..	6	..	Khan Bahadur Maulvi Rafi-uddin Ahmad.	Srimat Ganpat Sita Ram Kher.	Pt. Narain Prasad Kaul.	..

		..	..	..	..	73	..	25	M E F.	Mr. M. J. O'	Mr. Mansur Ahmad.	M. Abdul Jalil.
		..	..	..	..	3	3	8	Oppenheim. L. Mehta	K. B. Asghar Abb's.	M. Muhammad Bashir.	..
		6	4	4	4	33	..	2	Mr. G. L. Wal- lace.	Mr. A G. Phil- lips.	..	M. Muhammad Hamid
		73	21	11	17	7	10	15	Mr. Ardagh ..	Cltain B. C. Welby.	B. Kunwar Ba- hadur.	Syed Safi Mur- taza.
		1	38	1	20	..	..	..	Mr. B. J. K Hallowes.	..	Thakur Rampal Singh.	..
12	Nawabganj, district Bareilly, August 24, 1923.	..	..	..	..	..	..	..	..	..	..	..
13	Kasganj, district Etah, August 26, 1923.	..	..	..	..	..	..	..	..	..	..	..
14	Shahjahanpur from September 5, 1923 to October 21, 1923.	..	..	..	..	..	..	..	..	..	..	..
15	Agra City, August 27, 1923	2	73	..	..	..	..	..	..	..	..	..
16	Bi alpur, district Pilibhit, October 22, 1923.	1	38	..	..	..	..	..	..	..	..	..
Total		8	659	8	150	140	714	71	313			

1924.
Statement of communal riots in the United Provinces for the year 1924.

Serial number.	Place and date of occurrence.	Casualties.				Number of persons sent up for trial or tried by (i.e. convictions.)		Name of officers in charge of the district and police station in which the riot took place.	Remarks.		
		Hindus.		Muslims.		4	5				
1	2	3		4		5		6	7		
		Hindus.		Muslims.		Hindus.	Muslims.	District.	Police station.		
		Killed.	Wounded.	Killed.	Wounded.					District Magistrate.	Superintendent of Police.	Officer in charge police station.	Kotwal.
1	Khairuddinpur, district Azamgarh, March 21, 1924.	..	..	1	..	26	..	Mr. A. C. Turner.	Mr. D. B. C. Madge.	M. Abdul Ghafoor Khan.	
2	Kandhla, district Muzaffarnagar, April 12, 1924.	..	6	..	17	..	39	10	Mr. G. K. Darling.	Mr. W. Elliott	M. Abdul Majid Khan.
3	Hapur, district Meerut, April 13, 1924.	..	7	1	1	..	72	63	Mr. P. W. Marsh.	Mr. J. L. Stronach.	M. Ghalib Jang Khan.
4	Village Koripur, district Jaunpur, May 7, 1924.	..	12	..	11	(case compromised.)		K. B. Maulvi Rafiuddin Ahmad.	Mr. E. C. Robinson.	Babu Ram Magan Singh	
5	Village Mundi, district Bulandshahr, July 14, 1924.	..	..	..	..	113	..	107	..	..	Sub-Inspector Saijit Singh.
6	Jaspura Town, district Naini Tal, July 14, 1924.	..	12	1	6	15	..	All acquitted.	Mr. E. H. H. Edye.	Mr. E. H. Brull	M. Muhammad Ali Khan.

		..	13	..	2 or 3	26	..	3	Mr. H. Rutledge.	Mr. H. Inglis.	A.	M. Mukhtar Ahmad.	Chaudhari Iqbal Singh.
7	Amethi, district Lucknow, August 11, 1924.	..	..	..	10	..	..	..	Mr. H. Rutledge.	Mr. H. Inglis.	A.	M. Mukhtar Ahmad.	Chaudhari Iqbal Singh.
9	Mirganj, district Bareilly, August 11, 1924.	..	8	..	10	22	14	18	Mr. E. F. Oppenheim.	Mr. M. J. O. Driscoll.	O	M. Mohsin Ali	K. S. Shaiful-Hasan.
9	Baheri, district Bareilly, August 12, 1924.	..	22	..	..	13	..	9	Ditto	Ditto	..	M. Mukaddar Ali.	Ditto.
10	Pilibhit, August 12, 1924	..	..	..	5	36	..	13	Mr. T. B. W. Bishop.	Captain B. C. Welby.	C.	..	M. Habibul Malick.
11	Sikandrabad, district Kheri, August 27, 1924.	1	8	..	4	27	14	14	Mr. W. Christie.	Mr. E. F. G. Chapman.	G.	M. Fazl-ul-Rahman.	..
12	Pihani Town, district Hardoi, August 29, 1924.	..	20	..	12	(case comprised.)	..	..	K. B. Syed Muhammad Shafi.	R. B. Sardar Man Singh.	S.	M. Dildar Husain.	Thakur Chhutan Singh.
13	Shahabad Town, district Hardoi, September 9, 1924.	..	3	..	5	..	17	14	Ditto	Ditto	..	M. Muhammad Bashir Husain.	..
14	Aminabad Park, Lucknow, September 12, 1924.	..	30	1	32	..	..	..	Mr. H. Rutledge.	Mr. A. G. Crawford.	G.	Babu Har Saroop.	M. Kabir Uddin.
15	Aonla, district Bareilly, September 12, 1924.	..	..	..	4	(parties comprised.)	..	..	Mr. E. F. Oppenheim.	Mr. M. J. O. Driscoll.	O	M. Abu Muhammad.	..
16	Shahjahanpur from September 5, 1924 to September 25, 1924.	3	76	6	10	25	93	5	21	Mr. G. L. Wallace.	Mr. P. Biggane	..	M. Amir Haider
17	Allahabad, October 7, 1924 to October 11, 1924.	6	101	6	24	38	65	1	6	Mr. K. N. Knox	Mr. S. Newby	Sardar Gur Bux Singh.	Khan Bahadur Syed Tassawar Husain.
18	Village Dhumra, district Shahjahanpur, October 14, 1924	..	1	1	3	12	..	..	..	Mr. G. L. Wallace.	R. S. Babu Bishen Lal.	M. Ajodhia Prasad.	..
Total		10	314	17	147	324	361	171	158				

		2	..	..	7	Acquitted on appeal.	Mr. W. C. Di- ble.	Mr. Shore	Thakur Jewan Singh.	..
6	Chandpur, district Bijnor, August 18, 1925.	..	..	..	..	..	..	..	..	..
7	Rath, district Hamirpur, August 31, 1925.	..	6	..	2	5	31	Pt. Jiva Nand Pande.	M. Ziaul Haq.	B. Man Mohan Lal.
8	Dhindi, district Bareilly, September 9, 1925.	..	..	..	5	..	(Case was not investigated, parties bound over under sec- tion 107, Cr. P.C.)	Mr. M. J. O' Driscoll.	Mr. Abu Mu- hammad.	Khan Saheb S h a f i q - u l - Hasan.
9	Rasra, district Ballie, September 12, 1925.	..	1	..	1	..	..	Mr. A. H. Kid- wai.	M. Ali Ahmad.	..
10	Aligarh, September 22, 1925.	2	97	4	39	48	20	Khan Bahadur Syed Zain- uddin.	..	M. Ahmad Mukhtar.
11	Jarwal Bazar, district Bahraich, September 28, 1925.	1	39	..	..	50	..	Thasur Kharag Singh.	Ch. Teja Singh	Thakur Baij Nath Singh.
12	Jatwa, district Rae Ba- reilly, October 11, 1925.	..	..	..	2	26	..	Mr. H. C. Mit- chell.	M. Nasir Khan.	..
	Total	3	160	4	77	98	163	28	48	

Statement of communal riots in the

Serial number.	Place and date of occurrence.	Casualties.				Number of persons sent up for trial or tried by Criminal Courts.		Result of the cases tried (i.e., convictions).		Names of officers in disturbance.	
		Hindus.		Muslims.		Hindus.	Muslims.	Hindus.	Muslims.	District.	
		Killed.	Wounded.	Killed.	Wounded.					District officer.	Superintendent of Police.
1	Aminabad Park, Lucknow, January 17, 1926.	1	.	..	..	..	7	Accused acquitted.	all	Mr. C. W. Gwynne.	Mr. H. A. Inglis.
2	Fatehpur, March 25, 1926.	..	..	..	..	50	43	..	10	Sir Ivo Ellicott.	Mr. H. A. Carless.
3	Village Sankhni, district Bulandshahr, April, 1926.	..	1	..	.	.	23	Accused acquitted.	all	..	.
4	Lucknow, June 2, 1926.	2	4	..	4	..	29	..	10	Mr. C. W. Gwynne.	Mr. C. R. Peters.
5	Gark Champa, district Allahabad, June 16, 1926.	..	..	..	3	..	..	..	..	Mr. H. S. Crosthwaite.	Mr. S. T. Hollins.
6	Faridpur, district Fatehpur, June 22, 1926.	..	..	..	..	45	..	23	..	Mr. S. S. L. Dar.	Mr. H. A. Carless.
7	Jhusi, district Allahabad, June 22, 1926.	..	..	1	2	52	..	36	..	Mr. H. S. Crosthwaite.	Mr. S. T. Hollins.
8	Village Sihali, district Bara Banki, June 22, 1926.	..	18	..	..	40	..	24	..	K. B. Muhammad Shafi.	K. B. Syed Muhammad Taqi.
9	Allahabad, June 24, 1926 to June 27, 1926.	2	48	..	82	..	4	..	8	Mr. H. S. Crosthwaite.	Mr. S. T. Hollins.
10	Village Khanpur, district Etawah, July 19, 1926.	..	2	..	4	12	12	Withdrawn	..	Mr. R. W. D. Macleod.	Mr. K. M. O'Riordan.

United Provinces during the year 1926.

6				7
charge of the district, sub-division, etc., in which the took place.				Immediate and the ostensible cause of the riot.
Sub-division.	Tahsil.	Police station.		
		Officer-in-charge, police station.	Kotwal.	
Mr. H. S. Bates.	..	M. Ashraf Husain.	Sardar Bahadur Kishen Singh, D. S. P.	In connexion with an Arya Samaj procession passing Aminabad Park during prayer time.
Chandhri Ganga Ram Yadava.	M. Mohim-ud-din Khan.	Pandit Sarju Prasad.	..	In connexion with an Arya Samaj procession passing mosques with music.
..	..	Babu Joti Prasad, S.-I.	..	Performance of Arti and blowing of sankh on the occasion of Ram Naumi.
Pandit Beui Prasad Misra.	..	Pandit Radha Kishen Kaul.	Sardar Bahadur Kishen Singh, D. S. P.	A Muslim was found lying unconscious, he was taken to hospital and died. The Muslims thought he had been killed by Hindus and decided to give him a martyr's funeral.
Mr. W. W. Finlay.	..	..	..	Cow sacrifice.
Babu Raghubir Prasad Mathur.	M. Azam Ali Khan.	M. Abdul Wahab.	..	Cow sacrifice at Bakr-Id.
Kunwar Bindseshri Singh.	Babu Raghubath Das.	M. Muhammad Tahir.	..	Ditto.
Syed Muhammad Raza.	Pandit Bisheshwar Prasad Pande.	Pandit Munna Lal.	..	Ditto.
Mr. W. W. Finlay.	Mr. Faiz-ul-Rahman.	M. Kunwar Sarup.	K. B. Syed Tasawar Hussain.	Ill-feeling resulting from a riot in the neighbouring village of Jhusi at the time of Bakr-Id.
M. Sultan Hasan Mirza.	Thakur Pirthi Singh.	Syed Ali Jawad.	..	Muslims' resentment at a Hindu boy's remaining seated during the passing of the Tasia procession.

Statement of communal riots in the

1	2	3				4		5			
Serial Number.	Place and date of occurrence.	Casualties.				Number of persons sent up for trial or tried by Criminal Courts.		Result of the cases tried (i.e., convictions).		Names of officers in disturbance	
		Hindus.		Muslims.		Hindus.	Muslims.	Hindus.	Muslims.	District.	
		Killed.	Wounded.	Killed.	Wounded.					District officer.	Superintendent of Police.
11	Purani Basti, district Basti, July 21, 1926.	..	..	..	2	5	..	5	..	Mr. Wajahat Hussain.	Mr. D. S. Lyall Black.
12	Ballia, July 21, 1926.	..	..	..	..	3	24	3	24	Mr. H. H. Shaw.	Th. Brij Raj Singh.
12A	Kurti Jafarpur, district Azamgarh, August 21, 1926.	..	..	..	..	..	12	..	11	Mr. Harish Chandra.	Mr. Abad Ahmad Khan.
13	Farrukhabad, September 10, 1926.	..	2	2	5	24	..	9	..	R. B. Babu Budh Sen.	Mr. D. L. Morgan.
	Allahabad, September 12, 1926.	2	40	1	4	8	45	..	17	Mr. H. S. Crosthwaite.	Mr. S. T. Hollins.
15	Najibabad, district Bijnor, September 17, 1926.	..	21	1	22	70	47	21	27	Mr. H. S. Bates.	Mr. D. B. C. Madga.
	Total ..	7	131	5	78	309	246	121	102		

United Provinces during the year 1926 — (continued).

6				7
charge of the district, sub-division, etc., in which the took place.				Immediate and the ostensible cause of the riot.
Sub-division.	Tahsil.	Police station.		
		Officer-in-charge, police station.	Kotwal.	
Thakur Raja Ram Singh.	Babu Harish Chandra.	Babu Bittan Singh, S.-I.	Babu Bittan Singh, S.-I.	Throwing of bricks during Tazia procession.
Babu Ghan-shyam Das.	M. Abdul Majid.	..	M. Abdul Gha-fur Khan.	Tazia procession.
Syed Mu-hammad Zahid.	Syed Ali Naseer.	M. Safat Ullah.	..	On blowing conch on the occa-sion of katha.
Babu Shri Dhar Agar-wala.	..	..	Babu Balmu-kand Chaube.	Hindus attacked and drove away a party of Muslims who were busy holding a festival called Khawaja Khizir ka Mela on the banks of the Ganges over a bathing ghat.
Mr. W. W. Finlay.	M. Faiz-ul-Rahmar.	Babu Kunwar Sarup.	K. B. Syed Ta-sawar Husain.	As the Dadh Khando procession was passing the Subrati mos-que Muslims threw missiles at the procession.
Babu Sohan Lal.	S. Altaf Hu-sain.	Thakur Na-wab Singh.	..	A procession of gadaryas prepar-ing to go on pilgrimage to Gaya passed before a mosque on Friday at the time of pra-yers.

Statement of communal riots in the United Provinces

1	2	3				4		5		Name of the officer in the disturbance	
Serial number.	Place and date of occurrence.	Casualties.				Number of persons sent up for trial or tried by Criminal Courts.		Results of the cases tried (i.e., convictions.)			
		H ndus.		Muslim.		Hindus.	Muslims.	Hindus.	Muslims.	District.	
		Killed.	Wounded.	Killed.	Wounded.					District officer.	Superinten- dent of Police.
1	Bahadurganj, district Ghazipur, February 17, 1927.	..	6	1	6	45	25	Sub-judice		Mr. J. C. Donaldson.	Mr. L. M McDowell.
2	Kurthi Jafarpur, district Azamgarh, March 20, 1927.	..	12	..	..	..	20	..	14	Mr. H. E. Barlow.	Mr. A. C. Crawford.
3	Misri Bazar, Cawnpore, March 25, 1927.	..	1	..	..	..	11	..	5	Mr. A. Monro	Mr. G. A. Anderson.
4	Moolganj Cross Road, Cawnpore, April 10, 1927.	..	..	..	1	(The parties did not name the assailants, hence no trial was held.)				Mr. A. Monro	Mr. G. A. Anderson.
5	Aligarh, April 10, 1927 to April 11, 1927.	..	80	..	41	(No chalan).				Mr. J. H. Darwin.	Mr. R. N. Marsh Smith.
6	Meerut city, May 16, 1927.	..	6	..	10	6	9	..	..	Mr. E. H. H. Edye.	Mr. B. G. P. Thomas.
7	Juta Bazar. Cawnpore, May 22, 1927.	..	..	..	1	6	..	3	..	Mr. A. Monro	Mr G. A. Anderson,

for the year 1927.

6				7	8	9	10
charge of the district, sub-division, etc., in which took place.				Immediate and ostensible cause of the riot.	Estimated loss of property in each communal riot during the year ending September, 1927.	Names of officers against whom action was taken departmentally or otherwise.	Remarks.
Sub-division.	Tahsil.	Police station.					
		Officer-in-charge, police station.	City Kotwal.				
M. Paigambhar Bux.	B. Debi Dayal Powakhi.	M. Zafar Husain Khan.	Thakur Ram Karan Singh.	Sub-judice ..	Damage about Rs. 10 000		
S. Wasiul Husain.	S. Ali Naseer	M. Safat Ullah.	.	Holi procession passing a mosque.	Damage Rs. 50.		
Mr. N. H. Gordon.	K. S. M. Zafar Ali.	M. Hisam Uddin.	K. B. Munshi Abdul Jalil.	A Hindu procession passing the Taqi mosque with music during Friday prayers.			
Mr. N. H. Gordon.	K. S. M. Zafar Ali.	B Satya Narain Singh.	..	A Congress procession was proceeding with music by Moolan] Chowraha when some stones were thrown at it.			
M. Rafi Ullah.	M. Agha Syed Mohd. Ahsan.	..	Sardar Khem Singh.	Dispute over the possession of a grave-yard by a Hindu named Jwala Prasad.			
Mr. S. H. Zaheer.	M. Moinundin Ahmad.	M. Ghalib Jang Khan.	Ch. R. S. Prem Singh.	Music by a marriage party in front of a mosque.			
Mr. N. H. Gordon.	K. S. M. Zafar Ali.	M. Hisam Uddin.	K. B. Munshi Abdul Jalil.	Some Hindus objected to their women giving offerings to Muhammadan dhappalis. When the dhappalis went to mohalla Sirk mahal a band of congress workers arrived and interrupted them in their playing of music. Stones were thrown and the Hindus attacked some Muhammadans passing that way.			

Statement of communal riots in the United Provinces

Serial number.	2 Place and date of occurrence.	3 Casualties.				4 Number of persons sent up for trial or tried by Criminal Courts.		5 Result of the cases tried (i.e., convictions.)		Name of the officer in the disturbance	
		Hindus.		Muslims.		Hindus.	Muslims.	Hindus.	Muslims.	District.	
		Killed.	Wounded.	Killed.	Wounded.					District officer.	Superintendent of Police.
8	Faithfulganj, Cawnpore, June 5, 1927.	..	17	..	..	6	(The parties compromised.)		Mr. A. Monro	Mr G. A. Anderson.	
9	Banjaria, district Bareilly, June 12, 1927.	..	..	..	13	30	Pending in Court of Sessions.		Mr C. F. Wood,	Mr. J. R. H. Nott-Bower.	
10	Village Shadra, district Agra, July 3, 1927.	..	5	..	1	..	8	..	5	Mr. H. R. Nevill.	Mr. R. S. Bell.
11	Muradabad, district Unao, July 9, 1927.	..	..	..	..	..	5	sub-judice		Hon. Pt. Shyam Bihari Misra.	Pt. Jiva Nand Pande.
12	Bareilly, July 10, 1927.	..	16	..	1	..	..	..	..	Mr. C. F. Wood.	Mr. J. R. H. Nott-Bower.
13	Benares, July 11, 1927.	..	6	..	..	..	8	(The parties compromised).		Mr. V. N. Mehta.	Mr. F. Reynolds.
14	Ballia, July 11, 1927.	..	..	..	6	12	..	8	..	Mr. H. H. Shaw.	Mr. G. A. Swift.
15	Maurawan, district Unao, July 12, 1927.	..	8	1	8	13	20	..	17	Pt. Shyam Behari Misra.	Pt. Jiva Nand Pande.
16	Sandila town, district Hardoi, July 13, 1927.	..	13	..	10	..	13	Sub-judice		Mr. C. L. Wallace.	Pt. Vinya Nand.
17	Mohamdi, district Kheri, August 20, 1927.	..	8	..	13	17	23	Do.		Mr. C. H. Cooke.	Mr. C. G. Parsons.

for the year 1927—(continued).

6				7	8	9	1
charge of the district, sub-division, etc., in which took place.				Immediate and ostensible cause of the riots.	Estimated loss of property in each communal riot during the year ending September 1927.	Names of officers against whom action was taken departmentally or otherwise.	
Sub-division.	Tahsil.	Police station.					
		Officer-in-charge police station.	City Kotwal.				
Mr. N H. Gordon.	K. S. M. Zafar Ali.	B. Lakshmi Das.	K. B. M. shi Abdul Jalil.	A Hindu marriage party passing with music by a mosque at the time of evening prayer.			
M. Wasih Uddin Khan	S. Mumtaz Husain.	M. Vazar Uddin, S.I.	K. S. Shafiqul Hasan.	<i>Sub-judice</i>			
..	..	B. Shankar Lal, S. I.	..	A Muhammadan tried to drink from a Hindu's lotah at a place.			
S. Zaheer Uddin.	M. Walayat Husain, S.I.	M. Nazir Husain, S. I.	..	<i>Sub-judice</i>			
R. B. Babu Mani Bhusan Chakravarti.	Lt Ali Bin Hamid.	M. Maqbu Ahinad.	K. S. Shafiqul Hasan.	Playing of music by Arya Samajists in a temple close to the route of the Muharram procession.			
Pt. Raghunandan Upadhyay.	Pt. Ram Narain Misra.	M. Abdul Hamid.	K. B. M. Md. Faruq.	Trespass by Muslims on the premises of a temple where recitation of Ramayan was going on.			
Pt. Diwakar Nath Misra.	B Punjabi Lal.	..	M. Md. Ishaq.	Tazia procession.			
Mirza Zafar Ali Khan.	M. Md. Hanif.	Chaube Ramji Das.	..	Objection to music by Muslims during Moharram.			
Mr. J. Nigam.	Thakur Balram Singh.	Thakur Sheoraj Singh.	Sheikh Ala-ud-din.	<i>Sub-judice.</i>			
M. Abdul Haq Khan.	B. Ram Sarup.	Thakur Mohan Singh.	..	Do.			

Statement of communal riots in the United Provinces

Serial number.	Place and date of occurrence.	Casualties,				Number of persons sent up for trial or tried by Criminal Courts.		Results of the cases tried, (i.e., convictions.)		Name of the officer in the disturbance	
		Hindus		Muslims.		Hindus.	Muslims.	Hindus.	Muslims.	District.	
		Killed.	Wounded.	Killed.	Wounded.					District officer.	Superintendent of Police.
18	Ichauli, district Bara Banki, August 21, 1927.	..	9	..	9	..	31	Sub-judice	K. B. Md. Shafi.	K. B. Saiyid Md. Taqi.	
19	Agra, August 24, 1927.	..	1	..	2	10	..	3	..	Mr. B. E. Dreyfus.	Mr. R. S. Bell.
20	Cawnpore, August 28, 1927 to August 31, 1927.	1	9	1	28	4	..	(Under investigation).		Mr. A. Monro	Mr. G. A. Anderson.
21	Baroilly, August 28, 1927 to September 1, 1927.	8	56	5	20	..	..	..	..	Mr. C. F. Wood.	Mr. T. R. H. Nott-Bower.
22	Kunch town, district Jalaun, September 10, 1927.	..	1	..	..	..	36	Sub-judice	B. Anrudh Lal Mahondra.	Mr. T. P. Bhalla.	
23	Dehra Dun, September 28, 1927.	2	40	..	28	8	43	Do.	Mr. P. Mason	Mr. S. R. Mayers.	
24	Rahu Nagli, district Bijnor, October 6, 1927.	..	2	..	4	10	16	Do.	Mr. K. Prasad,	Mr. E. P. Luck.	
25	Baragaon, district Azamgarh, October 10, 1927.	..	8	..	5	..	11	Do.	Pt. Mahesh Bal Dikshit.	Mr. A. C. Crawford.	
26	Ludhar Sarai Aqil, district Allahabad, 1927.	..	3	..	3	11	..	..	..	..	..
27	Garhmuktesar Kartki fair, district Meerut, November 8, 1927.	..	..	..	73	133	..	..	..	Mr. E. H. H. Edye.	Mr. B. G. P. Thomas.
Total		..	11 302	8 283	311	270	..	9	41	..	..

for the year 1927—(concluded).

6				7	8	9	10
charge of the district, sub-division, etc., in which took place.				Immediate and ostensible cause of the riots.	Estimated loss of property in each communal riot during the year ending September, 1927.	Names of officers against whom action was taken departmentally or otherwise.	Remarks.
Sub-division.	Tahsil.	Police station.					
		Officer-in-charge, police station.	City Kotwal.				
Sh. Laiq Ali Khan.	B. Kesho Saran.	Pt. Durga Dutt.	..	<i>Sub-judice.</i>	..	Sh. Laiq Ali Khan, Deputy Magistrate was censured for lack of coolness and decision in dealing with the situation with the stoppage of his promotion. S.-l. Durga Datt was prosecuted.	
Pt. Lalta Prasad.	..	B. Baras Ram, S.-l.	M. Imtiaz Md. Khan.	The conversion of a Hindu to Islamism.			
Mr. N. A. Gordon.	K. S. M. Zafar Ali.	M. Hisan ud din.	K. B. M. Abdul Jalil.	<i>Sub-judice.</i>			
R. B. B. Mani Bhusan Chakravarti.	Lt. Ali Bin Hamid.	M. Maqbul Ahmad.	K. S. Shafiqul Hasan.	Do.			
M. Hashmat Ali	Pt. Mathura Prasad	B. Sant Bux Singh.	..	Do.			
S. Hamid Ali.	Khawja Said-ud-din Ahmad.	..	Sardar Mota Singh.	Do.			
M. Ahmad Sayed Khan.	Pt. Chandra Mohan Nath Raina.	M. Abdul Waheed Khan.	..	Do.			
Mr. O. D. Joshi.	S. Ali Naseer.	M. Fazl Rab.	..	Do.			
K. B. Sheikh Zamir-ud-din.	M. Fazl Rahman.	M. Syed Md. Jawad.	..	Dispute over the route for a Muslim procession.			
B. Madho Sarup.	..	S.-l. Anwar Kisan C. I. Khudadad Khan.	..	<i>Sub-judice</i>	..	About two lakhs reported.	
..	..	S. I. Hari Kishan.	..	..	..
..		

APPENDIX E.

(See pages 377 and 378 *supra*.)

ORDER.

In view of the rioting which occurred yesterday evening while the first Dasehra procession was passing the Dhamawala mosque, and of the bad state of feeling now prevailing in the city of Dehra, it will in my opinion be impossible with the police available to provide adequate protection for the remaining processions of October 1, October 6, and October 10, unless they are restricted to 100 yards in length and to between the hours of 3 and 6 p. m. I therefore direct under section 144, Criminal Procedure Code, that these processions, if taken out, must comply with the above requirements, and have given time to the Hindu leaders until tomorrow to say whether these processions will or will not be taken out subject to the above restrictions.

P. MASON, I.C.S.,

District Magistrate, Dehra Dun.

September 29, 1927.

Notice under section 144, Criminal Procedure Code.

TO THE PRESIDENT, SECRETARY AND ORGANIZER OF ARYA
KUMAR SABHA AT DEHRA DUN,

Whereas Arya Kumar Sabha, Dehra Dun, has organized "Bhajan Mandli" which has been going round the Town of Dehra Dun every morning from 4-30 a.m., since August 14, 1927, and which will continue doing so until September 21, 1927, and whereas Chehlum Tazia processions will also make a round in the town of Dehra Dun on the night between August 18 and 19, and in the day of August 19, 1927, and as there is likelihood of breach of peace if Chehlum Tazia processions and Bhajan Mandli came into conflict with each other on any road, street or mohalla and as in the interest of public peace and tranquillity it is necessary to regulate the time and route of the two processions, therefore I, S. Hamid Ali, Sub-Divisional Magistrate, Dehra Dun, make this order and issue a notice to Arya Kumar Sabha, Dehra Dun, its President, Secretary, members and organizers of Bhajan Mandli that Bhajan Mandli shall not be sent to or enter into Lonla Mohalla, Dandipur, Nia Nagar, Paltan Bazar, Dhamawala—Portion to the north of Kotwali, Khurbara and Jhanda Mohalla to the West of Gurdwara Ram Rai Sahib on the night between August 18 and 19, 1927, and the day of August 19, 1927. It is further ordered that Bhajan Mandli can make a round in other parts of the town Dehra Dun, not included in the above list only between the hours 5 a.m. and 7 a.m. on the morning of August 19, 1927.

S. HAMID ALI,

Sub-Divisional Magistrate, Dehra Dun

August 18, 1927.

Notice under section 144, Criminal Procedure Code.

TO ALL TAZIAWALAS AND AKHARAS IN CONNECTION WITH
CHEHLUM AT DEHRA DUN.

Whereas Chehlum Tazia processions and Akharas will make a round in the town Dehra Dun on the night between August 18 and 19, 1927, and during the day of August 19, 1927, and whereas Bhajan Mandli of Arya Kumar Sabha, Dehra Dun, will also make a round in the same town on the morning of August 19, 1927, and as there is likelihood of breach of peace if the two processions come into contact with each other and as in view of that, it seems necessary to regulate timings in order to preserve public peace and tranquillity, therefore I. S. Hamid Ali, Sub-Divisional Magistrate, Dehra Dun, make this order that all Tazia processions and Akharas must reach their destination after rounds by 4 a.m. on the night between August 18 and 19, 1927 and that they shall not be taken out again on August 19 before 7 a.m. It is further ordered that Tazia processions and Akharas must reach Kanwli road by 6 p.m. on August 19, 1927.

(Sd.) S. HAMID ALI,
Sub-Divisional Magistrate.

DEHRA DUN :
August 18, 1927.

*Copy of notice under section 144, Criminal Procedure Code, recorded
by Sub-Divisional Magistrate, Unao.*

Case No 128 for the management of Moharram and Rathjatra of Unao of 1927.

Notice under section 144, Criminal Procedure Code.

Whereas I find from the report of the Sub-Inspector-in-charge of Unao, dated June 24, 1927, that in order to prevent breach of the peace at the coming Moharram, Marriages and Rathjatra which will be celebrated at Unao from June 28, 1927 to July 13, 1927, it is imperative that section 144, Criminal Procedure Code, be enforced, hence it is hereby ordered that from June 28 to July 13, 1927, both days inclusive, no person shall carry lathi, fire-arms or other weapon real or imitation within the limits of Unao town. The order prohibiting the lathi does not refer to the carrying of light sticks not more than two inches in circumference and does not apply to very old and infirm persons who cannot walk without sticks to support them. Collection of brickbats on the house top is also prohibited. A person celebrating a marriage during this period is required to give previous notice to the Sub-Inspector-in-charge of Unao Kotwali of the date of the marriage four days before it is to be celebrated to enable the police to manage the procession.

(Sd.) ILLEGIBLE,
Sub-Divisional Magistrate.

Notice under section 144, Criminal Procedure Code.

Whereas it appears from the report of the Station Officer of Unao Kotwali, dated June 24, 1927, that relations between Hindus and Muhammadans of Unao town are not quite cordial for some years past, that several Hindu marriages are to be celebrated during the coming Moharram, that Rathjatra is to be celebrated about the same time, and whereas I consider that there is sufficient ground for proceeding under section 144, Criminal Procedure Code, and that speedy remedy is desirable to prevent the disturbance of the public tranquillity and a riot during the coming Moharram and Rathjatra, I hereby prohibit the following—

(1) The starting or repeating of rumours likely to produce a scare or feeling of insecurity or ill-will between the Hindus and Muhammadans—

(2) The reading of papers, books, pamphlets, etc., or delivery of speeches likely to cause trouble, whether in public or private congregations.

(3) The collection of arms, weapons, bricks or lathis, etc., in houses, temples, mosques or other places, or carrying them within the limits of Unao municipality, and

(4) Doing anything calculated or likely to wound the feelings of any community.

NOTE.—The order relating to lathis and sticks does not apply to light walking sticks, if not more than $1\frac{1}{2}$ inches in circumference and 3 feet in length, provided that they are not iron-bound or otherwise dangerous.

I further order that if any marriages, processions or other gatherings are to coincide with the dates of Moharram, those concerned must give at least four days previous notice to the Station Officer of Unao Kotwali, so as to admit of timely fixation of timings, routes, etc., in order to avoid all reasonable chances of a clash.

The above order shall remain in force from June 28, 1927 to July 13, 1927, both days inclusive. This order will apply to all inhabitants of Unao town as well as to those who remain in the municipal limits of Unao during these dates.

UNAO :

June 25, 1927

(Sd.) R. B. SAHAI,

Sub-Divisional Magistrate.

نقل نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری

ہر گاہ زیوریت سب انسپیکٹر صاحب مورانواں مورخہ ۱۴۲۷ھ سے معلوم ہوا ہے کہ تم منا داد ہنومان دین قوم برہمن ساکن محنتی الدین پور علانہ مورانواں و نیز دیگر اشخاص اہل ہنوں رام ڈول کل بتاریخ ۲ ستمبر سنہ ۱۹۲۷ء بمقام محنتی الدین پور نکالنا چاہتے ہو جس میں نقص امن کا اندیشہ ہے۔ چونکہ آجکل اہل ہنوں و اہل اسلام میں کشیدگی واقع ہو رہی ہے اور وقت اس قدر کم ہے اطلاع تمہاری طرف سے دی گئی ہے کہ جانچ و انتظام ہنوں پر جمع اس کے کہ موقع سڑک پختہ سے پانچ میل سے زیادہ اور صدر سے ۳۰ میل سے زائد ہی ہونا ناممکن ہے اور

اس قلیل وقت میں یہ بھی جانچ نہیں ہو سکتی کہ آیا یہ جلوس نیا نکل رہا ہے یا پہلے سے نکلتا تھا اس لیے میں بذات درگاہ سب ڈوہزنل مجسٹریٹ پورہ واسطے قائم رکھنے امن و امان مناسب سمجھتا ہوں کہ بموجب دفعہ ۱۴۲ ضابطہ فوجداری حکم دوں کہ یہ جلوس نہ اٹھایا جاوے اور حسب ذیل شرائط کی پابندی کی جاوے : —

(۱) کوئی شخص جھوٹی یا اشتعال انگیز خبریں پھیلانے کا جن سے کہ کسی فریق میں بیچینی پہلے *

(۲) کوئی شخص ایسے اخبار یا کتب چھپے ہوئے یا لکھے ہوئے نہ مشہور کریگا اور نہ تقسیم کریگا اور نہ پڑھ کر بتائیگا اور نہ ایسی تقریر کریگا جس سے فریقین میں بدامنی پھیلے *

(۳) کوئی اسلحہ یا لٹھی یا اینٹیں یا آڑ کوئی آہ حرب جو جرم کرنے کے قابل ہو کسی مندر یا مسجد یا کسی آڑ مقام میں جمع کریگا اور نہ حدود محی الدین پور کے اندر لیکر نکلیگا *

نوٹ — ہلکی چھڑی جس کا قطر $1\frac{1}{4}$ انچہ سے زیادہ نہ ہو اور ۳ فٹ سے زیادہ لمبی نہ ہو اس حکم سے مستثنیٰ ہے بشرطیکہ وہ کٹی نہ ہو یا اس میں لوہے کی شام بندھی ہوئی نہ ہو *

۴ — کوئی مجمع خلاف قانون رانچ یا پانچ سے زیادہ نہ کریگا — چونکہ وقت و موقع تحقیقات کا نہیں ہے لہذا بموجب فریقین یہ حکم اجرا کیا جاتا ہے *

سب انسپیکٹر صاحب مورانواں حسب دفعہ ۱۴۲ ضابطہ فوجداری اس کی تعمیل کرا دیں — یکم ستمبر سنہ ۱۹۲۷ء ہوقت ۹ بجے شب *

(دستخط) جناب بذات درگاہ صاحب ہائر

سب ڈوہزنل مجسٹریٹ پورہ (بخط انگریزی)

Copy of order under section 144, Criminal Procedure Code.

Whereas I have received information from the Station Officer of Maurawan that certain marriage processions of Hindus are due to arrive in Maurawan during the Moharram when the Musalmans will also take out their processions. There is danger of conflict and a breach of the peace between the two communities. To prevent the possibility of any disturbance the following orders are passed *ex parte* as there is no time to hear parties and immediate action is necessary : —

(1) No one shall publish, circulate or distribute such newspaper or leaflets printed or manufactured or deliver speeches in public or before processions or in private which are likely to estrange or influence feelings or to do any other to hurt the feelings of the other community.

(2) No one shall collect arms or lathis or brickbats or any other weapon of offence in any house, mosque or temple or in any other place

nor shall any one bring such things within the limits of Maurawan town.

NOTE.—A light walking stick not more than $1\frac{1}{2}$ " in circumference or 3 feet in length is exempted from the above order provided that it is not iron-bound, is not a sword stick or gupti or otherwise dangerous, if used as a weapon of offence. If a marriage procession or any other procession is to be taken out during the Moharram, notice should be given to the Station Officer of the Maurawan police station four days before, so that he may fix routes and time which shall be followed.

This order shall apply to all persons residing within or visiting the town of Maurawan up to and including the thirteen day of July, 1927, from to-day the second day of July, 1927.

UNAO :
July 2, 1927.

(Sd.) JAFAR ALI KHAN,
Sub-Divisional Magistrate, Purwa.

Copy of order under section 144, Criminal Procedure Code passed by SAYED ZAHIR-UD-DIN SAHIB, Sub-Divisional Magistrate, Safipur, dated July 6, 1927 in connection with the Moharram festival.

Order under section 144, Criminal Procedure Code(A).

Whereas it has been made to appear to me that the feelings between the Hindus and Mussalmans of Bangarmau are not agreeable and that every year there is some friction on the occasion of Moharram and that this year too there is the same state of affairs and that it is desirable in the interests of public peace and tranquillity that the following order should be passed. It is hereby ordered that the inhabitants of, or other persons coming into the limits of, Bangarmau town area, during the period of Moharram, that is, between 30th June and 13th July, 1927 shall abstain from (a) starting or repeating rumours likely to produce a scare or feeling of insecurity or ill-will between the various communities, (b) reading of papers, etc., or delivering speeches likely to cause trouble, whether in public or private congregations, (c) collecting arms or weapons, lathis, bricks or pieces of stone in houses, pathways, temples or mosques or anywhere within the limits of the town or village, (d) carrying swords, spears, guns, pistols, revolvers, kantas, big knives, kukris or any other weapon which might be used as a weapon of offence and lathis not including walking sticks of 3 feet length and $1\frac{1}{2}$ inches in circumference and not shod with iron or any other hard material within the limits of the town area, (e) doing anything calculated or likely to wound the feelings of any community. All such persons are further ordered that if their marriages, processions or gatherings coincide with Moharram dates those concerned must give at least 4 days previous notice, so as to admit of timely fixation of timings, routes, etc., in order to avoid clash—It is further ordered that the time being short and the names and addresses of persons who are likely to visit this town area cannot be known at present this order is passed *ex parte*.

This order shall be proclaimed and a copy of it shall be affixed at the thana, and other prominent places in the town area.

July 6, 1927

(Sd.) ZAHIR-UD-DIN,
Sub-Divisional Magistrate.

Copy of order under section 144, Criminal Procedure Code, passed by SAYED ZAHIRUDDIN SAHIB, Sub-Divisional Magistrate, dated July 6, 1927, in connexion with Moharram festival.

ORDER UNDER SECTION 144, CRIMINAL PROCEDURE CODE.

Whereas it has been made to appear to me that feelings between the Hindus and Musalmans of Atardhani are not agreeable and that every year there is some friction on the occasion of Moharram and that this year too there is the same state of affairs and that it is desirable in the interests of public peace and tranquillity that the following order should be passed, it is hereby ordered that the inhabitants of, or other persons coming into the limits of Atardhani village during the period of Moharram, that is between 30th June and 13th July, 1927 shall abstain from —

- (a) starting or repeating rumours likely to produce a scare or feeling of insecurity or ill-will between the various communities;
- (b) reading of papers, etc., or delivering speeches likely to cause trouble whether in public or private congregations;
- (c) collecting arms or weapons, lathis, bricks or pieces of stone in houses, pathways, temples or mosques or anywhere within the limits of the town or village;
- (d) carrying swords, spears, guns, pistols, revolvers, kantas, big knives, kukris, or any other weapon which might be used as a weapon of offence and lathis not including walking sticks of 3 feet in length and $1\frac{1}{2}$ inches in circumference and not shod with iron or any other hard material within the limits of Atardhani village;
- (e) doing anything calculated or likely to wound the feelings of any community.

All persons concerned shall give four days' notice of marriages, gatherings, etc., where these coincide with dates of Moharram so that routes may be fixed in order to avoid clash.

This order shall be affixed at prominent places in the village and shall be proclaimed.

It is further ordered that the time being short and the names and addresses of persons who are likely to visit this village cannot be known at present, this order is passed *ex parte*.

(Sd.) ZAHIRUDDIN,

Sub-Divisional Magistrate, Sakpur.

July 6, 1927.

Copy of order under section 144, Criminal Procedure Code, passed by SAYED ZAHIRUDDIN SAHIB, Sub-Divisional Magistrate, dated July 6, 1927, in connexion with Moharram festival.

ORDER UNDER SECTION 144, CRIMINAL PROCEDURE CODE (B).

Whereas it has been made to appear to me that feelings between the Hindus and Musalmans of Kabirpur Karamali are not agreeable and

that every year there is some friction on the occasion of Moharram and that this year too there is the same state of affairs and that it is desirable in the interests of public peace and tranquillity that the following order should be passed, it is hereby ordered that the inhabitants of, or other persons coming into the limits of, Kabirpur Karamali village during the period of Moharram, that is between 30th June and 13th July, 1927, shall abstain from—

- (a) starting or repeating rumours likely to produce a scare or feeling of insecurity or ill-will between the various communities ;
- (b) reading of papers, etc., or delivering speeches likely to cause trouble whether in public or private congregations ;
- (c) collecting arms or weapons, lathis, bricks or pieces of stone in houses, pathways, temples or mosques, or anywhere within the limits of the town or village ;
- (d) carrying swords, spears, guns, pistols, revolvers, kantas, big knives, kukris or any other weapon which might be used as a weapon of offence and lathis not including walking sticks of 3 feet in length and $1\frac{1}{2}$ inches in circumference and not shod with iron or any other hard material within the limits of the village ;
- (e) doing anything calculated or likely to wound the feelings of any community.

All persons concerned shall give at least four days' notice beforehand of the dates, etc., of marriages and other gatherings where such marriages and gatherings coincide with Moharram, in order to avoid clash. This order shall be proclaimed and copies of it shall be affixed at prominent places in the village.

It is further ordered that the time being short and the names and addresses of persons who are likely to visit this town or village cannot be known at present, this order is passed *ex parte*.

(Sd.) ZAHIRUDDIN,

Sub-Divisional Magistrate,

Safipur.

July 6, 1927.

نقل نوٹس بموجب دفعہ ۱۴۴ ضابطہ فوجداری

بعدالت جناب سید ظہیر الدین صاحب بہادر سب ڈویژنل مجسٹریٹ
تحصیل صفی پور ضلع اناؤ

چونکہ رسول خان ولد حسین خان قریب پٹھان سکھہ موضع اتردھنی تھانہ بانگرمو
نے آج درخواست اجازت کرنے چہام گذرائی ہی اس کے پیشتر کبھی چہام اس
موضع اتردھنی میں نہیں ہوا ہی اور وقت کم ہی اور جلوس چہام نیا ہی

بدیں وجہ نسبت قائم رکھنے امن یہ آرڈر یکطرفہ دیا جاتا ہی کہ چہلم کا
جلوس نہ نکالا جاوے - ۲۹ اگست سنہ ۱۹۲۷ء -
حکم ہوا کہ

نوٹس بنابو مشتمل د چسپانیدگی شارع عام موضع اتردھنی تھانہ بانگرمو پاس
سب انسپیکٹر ایچارج بانگرمو فوراً روانہ کیا جاوے - ۲۹ اگست سنہ ۱۹۲۷ء *

(دستخط) جناب سید ظہیر الدین صاحب بہادر

سب ڈویژنل مجسٹریٹ - صفی پور (بخط انگریزی)

Notice under section 144, Criminal Procedure Code.

IN THE COURT OF HASHMAT ALI, SUB-DIVISIONAL MAGISTRATE, ORAI,
KUNCH.

Whereas the relation between the Hindus, the Arya Samajists and the Muslims of Kunch town are strained and there is danger of breach of peace and disturbance of public tranquillity, of which speedy remedy is desirable, it is hereby directed that for a period of two months from today—

(1) no person shall go about in the town of Kunch armed with any weapon or lathi of a size bigger than two and half feet long and one and half inch in circumference;

(2) no procession shall be taken out without the previous sanction of the Divisional Magistrate.

For carrying arms and lathis—customary on such occasions—previous permission of Divisional Magistrate shall be obtained.

Given under my hand and seal of the Court this 12th day of September, 1927.

(Sd.) HASHMAT ALI,
Sub-Divisional Magistrate

Seal of the Court.

Order under section 144, Criminal Procedure Code.

Whereas the feelings between Hindus and Muhammadans of village Majhawan, pargana Cawnpore, thana Bidhnu, have been strained for some time past, and whereas there is an apprehension of breach of peace on the occasion of the coming *Bakrid*, it is necessary to take immediate steps with a view to maintain peace and to avoid a disturbance of public tranquillity.

It is therefore ordered :—

1. That during the Id-uz-zoha festival, i.e., on 10th, 11th 12th and 13th June, 1927, no outsiders belonging to either community shall be allowed to enter the village without the special permission of the sub-divisional officers or the police officer in charge of the arrangements.

2. That persons coming to join the nimaz on the 11th June from the neighbouring villages shall return from the Idgah and shall not enter the Majhawan village except for the purpose of going to the Idgah and returning to their villages.

3. That no congregations of Hindus or Muhammadans shall be allowed to be held within the village during the Id-uz-zoha festival except for the purpose of going to and coming back from the Idgah on the 11th June.

4. That during the said Id-uz-zoha festival no resident of the village shall go out armed with a lathi, firearm or any other weapon real or imitation without the permission of the police officer in charge of the arrangements.

Given under my hand and seal this day the 6th of June, 1927.

(?)

*Magistrate, 1st class,
Sub-Divisional Officer, Cawnpore.*

Arya Samaj Nagar Kirtan, 1927.

ORDER UNDER SECTION 144, CRIMINAL PROCEDURE CODE.

With a view to prevent any disturbance of public peace on the occasion of the Arya Samaj Nagar Kirtan procession in Fatehpur town, the following orders are passed under section 144, Criminal Procedure Code:—

1. The carrying of lathis, dandas, knives, and other weapons of any description, real or imitation, within the municipal limits of Fatehpur town from the morning of March 24, 1927, to the morning of March 25, 1927, by any persons other than Magistrates, members of the police force, cripples and blind persons, is prohibited.

This prohibition does not extend to flags, etc., usually carried with the procession, which will be regulated by the police orders.

2. The collection of bricks and other missiles is prohibited.

3. The collection of lathiwalas by householder at their houses, on the plea of self-protection, forms a menace to the public peace and is strictly prohibited.

(Sd.) S. S. L. DAR, I.C.S.,

District Magistrate, Fatehpur.

March 22, 1927.

انتظام محرم سنہ ۱۹۲۷ء ضلع فتحپور

بحکم خان بہادر مرزا علی سجاد حسین قائم مقام مجسٹریٹ ضلع فتحپور

احکام حسب دفعہ ۱۴۴ ضابطہ فوجداری

بنام جملہ اشخاص جو یکم جولائی سے ۱۱ جولائی سنہ ۱۹۲۷ء تک ضلع فتحپور کے اندر ہوں

ہر گاہ ہماری راے میں (۱) شہر فتحپور - (۲) جہان آباد - (۳) کوروا - (۴) ہند کی نوٹیفائیڈ ایریا - (۵) ہسواہ و (۶) ہنگام میں بپاعت مذہبی مناقشات ہندو مسلمانوں کے تعلقات بہت کشیدہ ہیں جس سے ایام محرم میں نقض امن

ہے صورت بلوہ یا ہنگامہ ہونے کا احتمال ہی اور انسداد شر و فساد کے لیئے اور ایسے اشخاص کی جو حدود قانون کے اندر کسی جائز فعل میں مصروف ہوں نقصان اور مزاحمت کو روکنے کے لیئے اور آسودگی عامہ خلائق کے اختلال کے اور بلوہ کے روکنے کے لیئے فوراً انسداد و جلد تدبیر کرنی مناسب ہی اور چونکہ اپنی نوعیت کے لحاظ سے یہ حکم نام بزم تعمیل نہیں ہو سکتا لہذا جملہ اشخاص کے نام جن کو مخاطب کیا گیا ہی یہ حکم عام یکطرفہ دیا جاتا ہی کہ بتاریخ ہائے مذکور اندر حدود مقامات مذکور —

دفعہ ۱ — کوئی شخص لاثمی - دندا - چاقو یا کسی قسم کے آلات حرب اصلی ہوں یا نقلي نہ لے جائیگا *

نوٹ — واضح رہے کہ اندھے ولے اشخاص (لاثمی اور دندے کی ممانعت ہے) متحرم کے اگڑے والے زیر انتظام پولیس و رتھ جانرا کے جلوس والے بقدر اُس قدر اشیاء کے جس کی اجازت سب ڈویژنل مجسٹریٹ صاحب دیں مستثنیٰ ہیں اور صاحبان مجسٹریٹ و ملازمان پولیس اس دفعہ کے حکم سے بالکل مستثنیٰ ہیں *

دفعہ ۲ — کوئی شخص اینٹ - کدکڑ - درزے یا مثل اُس کے کوئی دوسری چیز جو پھینڈے وغیرہ کے کام میں آسکتی ہو ہرگز نہ جمع کریگا *

دفعہ ۳ — کوئی شخص اپنے گھر میں اپنی محافظت کے بہانہ سے لاثمی بند اشخاص نہ لٹکھا کریگا *

احکام مندرجہ بالا کی تعمیل کی تاکید ہدایت کی جاتی ہی اور اُن کی خلاف ورزی کی سخت ممانعت کی جاتی ہی - جو شخص اُن احکام کی خلاف ورزی کریگا وہ حسب دفعہ ۱۸۸ تعزیرات ہند چھ مہینہ کی سزائے قید سخت اور ایک ہزار روپیہ جرمانہ کا مستوجب ہوگا *

آج تاریخ ۲۷ جون سنہ ۱۹۲۷ ع ہماري دستخط اور عدالت کی مہم سے جاری کیا گیا *

(دستخط) مہزا علی سبجان حسین - خان بہادر

فائیم مقام دسترکت مجسٹریٹ



ORDER UNDER SECTION 144, CRIMINAL PROCEDURE CODE.

Whereas the state of Hindu-Muslim tension is sufficient ground for proceeding under section 144, Criminal Procedure Code, in order to preserve peace on the occasion of forthcoming Ramlila celebrations the following orders are passed under that section to take effect within the municipal limits of Fatehpur on October 6, (Dasehra), October 11, (Barat) and October 21, (Bharat Milap), in the towns of Kora Jahanabad from October 11 to 19, 1927, and in the town of Haswa from October 7 to 16, 1927 :—

1. The carrying of lathis, dandas, knives and other weapons of any description, real or imitation, by any persons other than Magistrates, members of the police force, cripples and blind persons or those who

have been given special permit by a Magistrate or police officer not below the rank of a sub-inspector, is prohibited.

2. The collection of bricks, other missiles and standing on house-tops and at upper windows along the route of the procession and during its passage is prohibited.

3. The collection of lathiwalas by householders at their houses, on the plea of self-protection, forms a menace to the public peace and is strictly prohibited.

(Sd.) S. S. L. DAR, I.C.S.,
District Magistrate.

October 4, 1927.

NOTE.—It is hereby notified for the information of the public that in the event of a breach of the peace in connection with the Ramlila celebrations punitive police will be asked for, the cost of which will have to be borne by the community or communities responsible for the breach of the peace. It may be mentioned that the Government have already sanctioned punitive police for certain villages in police station Ghazipur.

(Sd.) S. S. L. DAR, I.C.S.,
District Magistrate.

October 4, 1927.

The orders under section 144, Criminal Procedure Code, issued by me on October 4, 1927, prohibiting the carrying of lathis, etc., will remain in force on October 20, 1927, as well.

Sub-Divisional Magistrate, Fatehpur, Mr. Ansari, Chaudhri Basit Yar Sahib, Babu Badri Prasad Kakkar Sahib, and Babu Bishun Man Singh Sahib, will accompany the procession on that day as well.

(Sd.) S. S. L. DAR,
District Magistrate, Fatehpur.

October 14, 1927.

Translation of an order under section 144, Criminal Procedure Code, issued by the Sub-Divisional Magistrate, Mohamdi, on September 4, 1927.

Whereas from the report of the Tahsildar and the Station Officer, Mohamdi—the local officers of the town—it is apparent that the public peace and tranquillity at Mohamdi will be in danger on the occasion of Jal Bihar on September 8, 1927. Therefore with a view to maintain the public peace it is directed under section 144, Criminal Procedure Code, that no one shall enter the limits of the said town on the date mentioned above, i.e., on Thursday, the 8th September, 1927, being armed with a lathi or danda, excepting a stick not exceeding 3 feet in length and 3 inches in thickness, or any other weapon either genuine or otherwise without the permission of the District Magistrate, Superintendent of Police or Sub-Divisional Magistrate, Mohamdi, or any other officer specially appointed in this behalf by the officers specified above.

(Sd.) M. ABDUL HAQ KHAN,
Sub-Divisional Magistrate, Mohamdi.

September 4, 1927.

Translation of an order under section 144, Criminal Procedure Code, dated September 6, 1927, issued by the Sub-Divisional Magistrate, Mohamdi.

In modification of my order under section 144, Criminal Procedure Code, dated September 4, 1927, it is hereby declared for the information of the general public that no one shall enter the limits of Mohamdi town on the day of Jal Bihar, i.e., September 8, 1927, being armed with a lathi or danda of any description, or any weapon either genuine or otherwise such as knife (large or small), etc. The restriction imposed in my previous order as to the dimensions of lathi or danda is hereby cancelled. This order will remain in force from 6 a.m. of September 8, 1927 to 10 a.m. of September 9, 1927. Any one infringing the above order shall be liable to punishment under the law.

(Sd.) M. ABDUL HAQ KHAN,

Sub-Divisional Magistrate, Mohamdi.

September 6, 1927.

Translation of an order dated September 25, 1927, issued under section 144, Criminal Procedure Code, by the Sub-Divisional Magistrate, Mohamdi, district Kheri.

Whereas there is reason to believe that during the Dasehra festival, which commences from September 26, 1927, the public peace and tranquillity at Mohamdi town and its surroundings with a radius of one mile will be in danger, it is, therefore, ordered that no one shall enter the aforesaid area between September 26, and October 10, 1927, being armed with a lathi, danda or stick, or other weapons either genuine or otherwise, such as razor, knife, ballam, bhala, or sword, etc., or any firearm, without the permission of the District Magistrate, or Superintendent of Police or Sub-Divisional Magistrate, Mohamdi, or any other officer specially appointed in this behalf by the officers specified above.

(Sd.) M. ABDUL HAQ KHAN,

Sub-Divisional Magistrate, Mohamdi.

September 25, 1927.

Moharram, 1927.

Order under section 144, Criminal Procedure Code.

Whereas it would now appear that many of the conductors of the aerial lines of the Saharanpur Electric Supply Co., Ltd., are between 10 and 22 feet only above many of the streets within the Saharanpur municipality which lawful height would be a danger to human life were any person or body of persons to take out any thing such as a "Jhanda," "Tazia," "Alum," "Nishan", etc., of a height more than 18 feet or 12 haths in height from the ground.

I do hereby order that no person or body of persons shall take any "Jhanda", "Tazia", "Alum", "Nishan", etc., exceeding a height of 18 feet or 12 haths from the ground along any of the streets within

the Saharanpur municipality where there be the said conductors of aerial lines of the said company, the height of any person or conveyance carrying the said "Jhanda", "Tazia", "Alum", "Nishan", etc., to be included in the said 18 feet or 12 fathoms.

This order will remain in force for two months from this date.

Given under my hand and the seal of the Court this 23rd day of June, 1927.

(Sd.) R. B. QADRI,

Magistrate, 1st class, In charge of city.

Orders passed under section 144, Criminal Procedure Code, by CHAUDHRI TARIF SINGH SAHIB, Sub-Divisional Magistrate, Nakur, about sacrifice in Gungoh at the Baqr-Id festival of 1927.

It appears from the police report dated 14th May, 1927, that there is apprehension of disturbance in Gangoh, it is therefore also necessary this year, in order to prevent breach of the peace, to pass the following orders, regulating cow sacrifice at the Baqr-Id.

This order will remain in force from 10th to 13th June, 1927.

(1) No cow sacrifice shall take place at any of the following houses which are adjacent to the Hindu quarters and where cow sacrifice does not seem to have taken place in the past.

(a) House of Sabir Gujar in enclosure No. 140.

(b) House of Fazal Haq in enclosure Nos. 538 and 542 both.

(c) House of Mazhar Husain in enclosure No. 374.

(2) Cows intended for sacrifice shall not be taken to the houses where the sacrifice is to take place through the following mohallas which are inhabited by Hindus, namely, mohallas Qanungoyan, Isra, Babu Rai, Chatta, Penth Bazar, Nazul Bazar, Bazar Kalan and Bahar-gunj.

NOTE 1.—The cow for sacrifice can be taken on the Nanota Titron Road without turning to right or left at the point where it crosses the other road.

NOTE 2.—There is no restriction to the sacrifice of goats and sheep.

(Sd.) TARIF SINGH,

Sub-Divisional Magistrate, Nakur.

Gughal Fair 1927.

The following orders under section 144, Criminal Procedure Code, are issued. These are the same orders as had been passed in previous years and were unconditionally followed.

1. All music, arti and noise, etc., is forbidden in front of any mosque and 25 yards each side of it at prayer times which will be as follows:—

Fajir 5.30 a.m. to 6 a.m.

Zuhar 1.30 p.m. to 2.30 p.m.

Asar 4.45 p.m. to 5.45 p.m.

Maghrib 6.45 p.m. to 7.15 p.m.

Isha 8.45 p.m. to 9.45 p.m.

(2) No Charri, Alum or Nishan of more than 18 feet high shall be carried in the city. The height of any conveyance or person carrying the Alums or Charries is included in 18 feet. This order is necessary owing to electric wires being 20 feet high. This order will remain in force for two months.

(Sd.) R. B. QADRI,

Magistrate 1st class.

I/C, Saharanpur city.

19-8-27.

Notice under section 144, Criminal Procedure Code, dated October 5, 1927.

Whereas Hindus in the procession of September 26, 1927 had introduced certain innovations like Sarups, Akhara, and decorated horses against what is laid down in records and created a dangerous situation in being objected to by Muhammadans it is therefore expedient to issue a notice under section 144, Criminal Procedure Code, to maintain public peace and direct Hindus to take out procession with following limitations.

(1) Arti from 7 p.m. to 12 p.m. will be celebrated as usual.

(2) The prayer times will be observed as given in the former notice when the procession happens to be near some mosque at the time of prayers. The procession and Arti will go round in quarters as mentioned in the programme.

On October 6, 1927 the procession will start from the house of Jado Panda and from the temple (Mainaram) one jhanda will stand in Painth maidan from 10 a.m. onward while the procession will start at 12.30 from Painth maidan and come back at 3 p.m. Naqqara and other baja will be allowed whole time except prayer time. Procession and Arti will then go round by the fixed route as given in the programme.

(4) With the procession no sarups or conveyances like horses, elephants, tongas, bullocks, etc., except palanquins of pandas will be allowed. There will be no tents or shamiyanas at any public place for lectures except religious songs as they are sung with charries. Any body disobeying these instructions will be prosecuted.

NOTE. — Two shamyianas which are pitched in Painth and Akhara patta for patta in Painth bazar are exempt.

(Sd.) TARIF SINGH,

Sub-Divisional Magistrate, Nakur.

نوٹس

حسب دفعہ ۱۲۳ ضابطہ فوجداری معجزیہ مسٹر ٹی بی ذبلیو بشپ صاحب
معجزیت بہادر ضلع دیلی بہیت

نظام ہر خاص و عام سکے بیساپور اور جملہ اشخاص بیرونجات جو
ایام معجزہ میں بیساپور میں موجود ہوں

ہر گاہ ایام معجزہ میں چند اہل اسلام اپنے عام و تخت و تعزیه بہ ہمراہی
جلوس مذہبی شاہ راہ عام سے نکالینگے۔ اگر چاند ۲۹ ذی الحجہ کا ہوا تو پہلی
معجزہ ۱۱ جولائی سنہ ۱۹۲۶ء کو بروز اتوار ہوگی اور اگر چاند ۳۰ ذی الحجہ کا
ہوا تو پہلی معجزہ ۱۲ جولائی سنہ ۱۹۲۶ء کو بروز سوموار (دوشنبہ) ہوگی اور
اس حساب سے اگر چاند ۲۹ ذی الحجہ کا ہوا تو عشرہ ۲۰ جولائی سنہ ۱۹۲۶ء
بروز منسل اور اگر ۳۰ ذی الحجہ کا ہوا تو ۲۱ جولائی سنہ ۱۹۲۶ء بروز بدھ
عشرہ ہوگا۔ لہذا محض اس خیال سے کہ امن عامہ میں کسی قسم کا خلل واقع
نہ ہو۔ نوٹس حسب دفعہ ۱۲۳ ضابطہ فوجداری جاری کرنے کی کافی وجہ و
ضرورت معلوم ہوتی ہے۔ لہذا یہ نوٹس حسب دفعہ ۱۲۳ ضابطہ فوجداری
جاری کیا جاتا ہے جس کی پابندی ہر خاص و عام پر لازم ہوگی۔

(۱) مسلمانان اپنے علم و تعزیه و تخت خاص تاریخوں میں نکالا کرتے ہیں
وہ ایام بھی مثل سال ہائے گذشتہ انہیں تاریخوں اور انہیں اوقات اور انہیں
راستوں سے نکالینگے جیسا کہ سال ہائے گذشتہ میں نکالے جاچکے ہیں *

(۲) کوئی شخص ہندو یا مسلمان کوئی جدید تیوہار یا رسم جس کے
ساتھ باجا و جلوس و مجمع ہو نکالنے کا معجاز نہ ہوگا بغیر احازت صاحب
معجزیت ضلع کے *

(۳) ہندو صاحبان اپنا گانا بجانا (جس میں سنگھ - گہریال - جھانجھ
اور دیگر قسم کا باجا شامل ہے) جبکہ تعزیه - تخت - علم اُس جگہ سے یا اُس
مندر سے جہاں کہ گانا بجانا ہو رہا ہو نہ گذر جائیں بالکل بند رکھینگے۔
گانا بجانا اُس وقت تک بند رہیگا جب تک تعزیه و عام و تخت وہاں سے
کم سے کم ہندو جانب پچاس قدم کے فاصلہ پر ہوں *

(۴) جن مقامات پر کہ تعزیه و تخت رکھے جاتے ہیں اُن کے قریب ایام
معجزہ میں کسی قسم کا گانا بجانا نہ کرینگے جب تک وہ تعزیه و تخت اپنے
مقامات مقررہ پر رکھے ہوئے ہوں *

(۵) اگر یکم معجزہ ۱۱ جولائی سنہ ۱۹۲۶ء کو ہو اور اُس روز ہندوؤں کا
تیوہار رتھ جاترا بھی ہو تو جلوس رتھ جاترا و باجا و گانا ہر قسم کا قبل غروب
آفتاب ختم کر دیا جائیگا *

(۶) کوئی شخص ایام معجزہ میں جبکہ جلوس تعزیه - علم - مہندی -
تخت نکل رہا ہو اُس وقت لڑھی یا بلم یا دیگر اسلحہ لپکے نہیں نکلیگا *

(۷) کوئی شخص ایام محرم میں کسی تعزیه و تخت یا علم کے ساتھ نشہ کی حالت میں نہیں جائیگا *

(۸) کوئی شخص عام و چھندوں میں ہلم کا استعمال نہیں کریگا * .

نوٹ -- جو کوئی شخص خلاف درزی ان احکام کی کریگا وہ مستوجب سزا حسب دفعہ ۱۵۳ و ۱۸۸ تعزیرات ہند کے ہوگا *

T. B. W. BISHOP, I.C.S., (دستخط)

ڈسٹرکٹ مجسٹریٹ - پیلی بھیت

نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری

محرمیہ اجلاس جناب خان بہادر مولوی مقصود علی خان صاحب بہادر
مجسٹریٹ ضلع پیلی بھیت

ہنام ہر خالص و عام سکنہ بیسپور اور جملہ اشخاص پیر و نجات جو ایام
چہلم میں بیسپور موجوں ہوں

ہرگاہ بہ تقریب چہلم ۱۸ و ۱۹ اگست سنہ ۱۹۲۷ع کے مابین کی شب میں
اور ۱۹ اگست سنہ ۱۹۲۷ع کو دن میں چند اہل اسلام اپنے عام و تخت و تعزیه
بہ ہمراہی چارلس مذہبی شاہ راہ عام سے نکالینگے لہذا محض اس خیال سے
کہ امن عامہ میں کسی قسم کا خلل واقع نہ ہو نوٹس حسب دفعہ ۱۴۴ ضابطہ
فوجداری جاری کرنے کی کافی وجہ اور ضرورت معلوم ہوتی ہی - لہذا یہ نوٹس
حسب دفعہ ۱۴۴ ضابطہ فوجداری جاری کیا جاتا ہی جس کی پابندی ہر
خاص و عام پر لازم ہوگی -

(۱) مسلمانان اپنے علم و تعزیه و تخت مندرجہ بالا تاریخوں میں نکالا
کرتے ہیں وہ ایام بھی مثل سال ہائے گذشتہ انہیں تاریخوں اور انہیں
اوقات اور انہیں راستوں سے نکالینگے جیسا کہ سال ہائے گذشتہ میں نکالے جا
چکے ہیں *

(۲) کوئی شخص مسلمان ہو یا ہندو کوئی جدید تیوہار یا رسم جس کے
ساتھ باجا و جلوس و مجمع ہو نکالنے کا مجاز نہ ہوگا بغیر اجازت صاحب
مجسٹریٹ بہادر ضلع کے *

(۳) ہندو صاحبان اپنا گانا بجانا (جس میں سنگھ - گھڑیاں - چہانچہ
اور دیگر قسم کا باجا شامل ہی) جبکہ تعزیه - تخت - علم اس جگہ سے یا
اس مندر سے جہاں گانا بجانا ہو رہا ہو نہ گذر جاویں بالکل بند رکھینگے -
گانا بجانا اس وقت تک بند رہیگا جب تک تعزیه و تخت و علم وہاں سے
کم سے کم ہر دو جانب پچاس قدم کے فاصلہ پر ہوں *

(۴) جن مقامات پر کہ تعزیه اور تخت رکھے جاتے ہیں اُن کے قریب تواریخ مذکورہ بالا میں کسی قسم کا گنا بجانا نہ کریں گے جب تک کہ وہ تعزیه اور تخت اپنے مقامات مقررہ پر رکھے ہوئے ہوں *

(۵) کوئی شخص ایام چہام میں جبکہ جاوس تعزیه = عام - تخت نکل رہا ہو اُس وقت لاٹھی یا بلم یا دیگر اسلحہ لیکر نہیں نکلیگا *

(۶) کوئی شخص ایام چہام میں کسی تعزیه و عام و تخت کے ساتھ نشہ کی حالت میں نہیں جائیگا *

(۷) کوئی شخص عام و جھنڈیوں میں بلم کا استعمال نہیں کریگا *

نوٹ — جو کوئی شخص خلاف درزی این احکام کی کریگا وہ مستوجب سزا حسب دفعات ۱۵۳ و ۱۸۸ تعزیرات ہند کے ہوگا *

(دستخط) خان بہادر مولوی مقصود علی خان صاحب (بخط انگریزی)

کلکٹر و مجسٹریٹ ضلع پیلی بہیت

نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری

مجریہ اجلاس جناب خان بہادر مولوی مقصود علی خان صاحب بہادر
مجسٹریٹ ضلع پیلی بہیت

بذم جملہ ہنود و مسلمانان سکناہ کلی ناگر تھانہ ماہو ڈانڈہ و اشخاص
بیرونجات جو ایام محرم میں قصبہ کلی ناگر میں موجود ہوں

چونکہ پیشہر ایام محرم میں کچھ تنازعہ درمیان ہنود و مسلمانان کے تھا اُس وقت اُنہوں نے باہم متفقہ طور پر تصفیہ کر کے اِنرارنامہ تحریر کر دیا تھا لہذا اِس سال بھی بخیرال اس کے کہ امن عامہ میں خلل واقع نہ ہو کافی وجہ اور ضرورت اِس بات کی معلوم ہوتی ہی کہ نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری بذم جملہ اشخاص جاری کیا جاوے۔ لہذا نوٹس ہذا حسب دفعہ ۱۴۴ ضابطہ فوجداری بذم جملہ ہنود اور مسلمانان پر جو اِن ایام میں کلی ناگر میں ہوں جاری کیا جانا ہی کہ شرائط ذیل کی پابندی ہر خاص و عام پر لازم ہوگی —

(۱) یکم تاریخ محرم سے ۶ تاریخ تک کوئی تعزیر داری کلی ناگر میں نہیں ہوتی ہی — لہذا اِن ایام میں ہنود سنکھہ بجا کر پوجا کر سکتے ہیں *

(۲) ۷ تاریخ محرم کو ۱۲ بجے دن سے ۲ بجے رات تک سنکھہ نہیں بجایا جاسکتا۔ معمولی پوجا بغیر سنکھہ بجائے ہوئے کر سکتے ہیں *

(۳) ۸ تاریخ محرم کو ہنوں حسب معمول سنکھہ بجا کر پوجا کر سکتے ہیں *

(۴) ۹ تاریخ محرم کو کسی وقت دن یا رات میں سنکھہ نہیں بجا سکتے ہیں - معمولی پوجا بغیر سنکھہ بجائے ہوئے کر سکتے ہیں *

(۵) ۱۰ تاریخ محرم کو ۴ بجے شام تک سنکھہ نہیں بجایا جاویگا - معمولی پوجا بغیر سنکھہ بجائے کر سکتے ہیں *

نوٹ - جو کوئی شخص خلاف درزی ان احکام کی کریمہ و مستوجب سزا حسب دفعات ۱۵۳ و ۱۸۸ تعزیرات ہند کے ہوگا *

(دستخط) خان بہادر موای مقصود علی خان صاحب

مورخہ ۲۵ جون سنہ ۱۹۲۷ ع دسترکت مجسٹریٹ - ضلع پیلی بھیت

نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری

خانصاحب سید ضمیر حیدر صاحب بہادر انچارج سب ڈیوڑنل مجسٹریٹ
تحصیل پورنپور ضلع پیلی بھیت

بنام ہر خاص و عام ساکنان قصبہ پورنپور ضلع پیلی بھیت و جملہ اشخاص
بیرونجات جو ایام چہام میں قصبہ پورنپور میں موجود ہوں

ہرگز کہ ہمارے عام میں آیا ہی کہ زمانہ چہام میں قصبہ پورنپور میں باہم
اہل اسلام و اہل ہنوں میں اختلاف ہی جس سے احتمال نقص امن کا ہی لہذا
بہ سلسلہ احکام صاحب مجسٹریٹ بہادر ضلع نوٹس ہذا حسب دفعہ ۱۴۴
ضابطہ فوجداری جاری کرنے کی ضرورت معلوم ہوتی ہی اس ایئے احکام ذیل
صادر کیئے جاتے ہیں جس کی پابندی ہر خاص و عام پر لازم ہی -

(۱) جنو حجام کا تعزیم اُس کے مکان سے اُنھہ کے مسماۃ شبن کے مکان کے
بہاں ہوتا ہوا سیدھا سڑک پختہ ریلوے اسٹیشن پہ آویگا اور اِس سڑک پر سے
ریلوے لائن کو کراس کرتا ہوا شپہ پور والی سڑک عام پہ کربلا شپہ پور کلس
چلا جاویگا *

(۲) مولا بخش نداف کا تعزیم اُس کے مکان کے دروازہ سے اُنھہ کے سڑک
تحصیل اسٹیشن روڈ پہ آگے اُس کے چوراہا اسٹیشن پہ نہیں رکھیگا *

(۳) حبو اور مولا بخش اپنے اپنے تعزیم اپنے اپنے مکان سے ملا ہوا رکھینگے
شب میں جس وقت مکان سے باہر نکالینگے اُس وقت سب انسپیکٹ

صاحب اپنی موجودگی میں قریب ۸ بجے رات کے مکان سے باہر نکلوا دینگے -
گشت قصبہ میں نہیں ہوگا *

(۲) تعزیه حبو و مولا بخش دس بارہ بجے دن کے درمیان بتاریخ ۱۹
اگست سنہ ۱۹۲۷ع آٹھ بجے شہر پور روانہ ہونگے - جلوس کے ہمراہ پولیس
شہر پور میں جارہیگی *

(۵) کوئی شخص ۱۸ - ۱۹ اگست سنہ ۱۹۲۷ع کو شارع عام میں لٹھی
و بلم و تلوار و دیگر اسلحہ لیکر نہیں نکلیگا *

نوٹ - جو کوئی شخص خلاف درزی ان احکام کی کریگا وہ مستوجب سزا
حسب دفعہ ۱۵۳ و ۱۸۸ تعزیرات ہند کے ہوگا *

(دستخط) بخت انگریزی

مورخہ ۱۸ اگست سنہ ۱۹۲۷ع انچارج سب ڈویژنل مجسٹریٹ - پورنپور

نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری

اجلاسی جناب بابو ہری کرشن کمار صاحب بہادر سب ڈویژنل مجسٹریٹ
پورنپور ضلع پیلی بھیت

ہرگز رپورٹ پولیس قصبہ پورنپور سے واضح ہوا ہے کہ تاریخ ۸ ستمبر
سنہ ۱۹۲۷ع بروز جمعرات اہل ہنود قصبہ پورنپور کا جلوس جل بہار قصبہ مذکور
میں گشت کریگا چونکہ آجکل تعلقات اہل اسلام و اہل ہنود خراب ہو رہے ہیں
لہذا اس خیال سے کہ امن عامہ میں کسی قسم کا خلل واقع نہ ہووے یہ ضروری
معلوم ہوتا ہے کہ نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری جاری کیا جاوے -
لہذا نوٹس ہذا حسب دفعہ ۱۴۴ ضابطہ فوجداری بنام جملہ اشخاص اہل اسلام و
اہل ہنود سکناے قصبہ پورنپور و جملہ اشخاص بیرونجات جو ۸ ستمبر ۱۹۲۷ع کو
قصبہ پورنپور میں موجود ہوں جاری کیا جاتا ہے - شرائط ذیل کی پابندی ہر
خاص و عام پر لازم ہے -

(۱) ۸ ستمبر سنہ ۱۹۲۷ع کی صبح ۶ بجے سے رات کے ۱۲ بجے تک
نوٹس نافذ رہیگا *

(۲) کوئی شخص لٹھی - بلم و دیگر قسم کا کوئی ہتھیار و اسلحہ لیکر راستوں
یا گذرگاہوں یا جلوس جل بہار کے ساتھ نہ نکلیگا نہ ایک مقام سے کسی دوسرے
مقام تک قصبہ پورنپور میں لیکر جاویگا *

جو کوئی شخص خلاف درزی ان احکام کی کریگا مستوجب سزا حسب
دفعہ ۱۵۳ و ۱۸۸ تعزیرات ہند کے ہوگا *

(دستخط) بخت انگریزی

حاکم پرگنہ صاحب بہادر

المرقوم ۷ ستمبر سنہ ۱۹۲۷ع

نقل نوٹس حسب دفعہ ۱۴۳ ضابطہ فوجداری

منجریہ اجلاس جناب خان بہادر محمد مقصود علی خان صاحب منجسٹریٹ
ضلع پیلی بھیت

بنام ہر خاص و عام سکناے موضع سندریور و جملہ اشخاص بیرونجات جو
ہرز چہام موضع سندریور میں موجود ہوں

ہرگاہ کہ تقریب چہام ۱۹ اگست سنہ ۱۹۲۷ء کو چند اہل اسلام اپنے تعزیم
ہمراہی جلوس مذہبی راستہ متھرا سے نکالینگے اور موضع سندریور میں کشت
کریں گے اور چونکہ درمیان اعلیٰ ہند اور اعلیٰ اسلام سکناے دیہہ نسبت بجائے
سنگھ اہل ہند کے ہرز چہام ترازہ ہی - اہذا اس خیال سے کہ امن عامہ میں کسی
قسم کا خلل واقع نہ ہو نوٹس حسب دفعہ ۱۴۳ ضابطہ فوجداری جاری کرنے کی
کافی وجہ اور ضرورت معلوم ہوتی ہے لہذا یہ نوٹس حسب دفعہ ۱۴۳
ضابطہ فوجداری جاری کیا جاتا ہے جس کی پابندی ہر خاص و عام پر
لازم ہوگی -

(۱) ۱۹ اگست سنہ ۱۹۲۷ء کو ہرز چہام ۶ و ۷ بجے صبح کے درمیان
شب فذن بہمن اور ٹینکارام اپنے اپنے مکان مسکوئے کے اندر سنگھ بھائیئنگے
اور کسی جگہ جب تک کہ تعزیم کر بلا نہ پہنچ جائینگے سنگھ نہیں بجایا
جائیگا *

(۲) اعلیٰ اسلام تعزیم کا کشت ۸ بجے صبح کے بعد سے شروع کر کے مقررہ راستوں
سے کشت کرتے ہوئے ۲ بجے تک کر بلا پہنچ جائینگے *

(۳) کوئی شخص ہندو یا مسلمان کوٹہ جدید تیوہار یا رسم جس کے ساتھ
باجا - جلوس و مجمع ہو نکالنے کا بغیر اجازت صاحب منجسٹریٹ بہادر ضلع
کے مجاز نہ ہوگا *

(۴) کوئی شخص اس روز جبکہ تعزیم کا جلوس نکل رہا ہو لائھی یا بلم یا
دیگر اسلحہ ایک نہیں نکلیگا *

(۵) کوئی شخص جلوس تعزیم کے ساتھ کسی نشہ کی حالت میں نہیں
جائیگا *

نوٹ - جو کوئی شخص خلاف درزی احکام کی کریگا وہ مستوجب سزا
حسب دفعہ ۱۵۳ و ۱۸۸ تزیارات ہند کے ہوگا *

(دستخط) بخط انگریزی

صاحب منجسٹریٹ بہادر

۱۹ اگست سنہ ۱۹۲۷ء

نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری

محترمہ اجلاس مسٹر ٹی بی ڈبلیو ہشپ صاحب مجسٹریٹ بہادر
ضلع پیلی بہیت

بنام ہر خاص و عام ساکن شہر پیلی بہیت و جملہ اشخاص پیرونجات
جو ایام محرم میں پیلی بہیت میں موجود ہوں

ہر گاہ ایام محرم میں چند اہل اسلام اپنے علم و تخت و تعزیر بہ ہمراہی
جلوس مذہبی شاہ راہ عام سے نکالینگے۔ اگر چاند ۲۹ ذی الحجہ کا ہوا تو پہلی
محرم ۱۱ جولائی سنہ ۱۹۲۶ء بروز اتوار کے ہوگی اور اگر چاند ۳۰ ذی الحجہ
کا ہوا تو پہلی محرم ۱۲ جولائی سنہ ۱۹۲۶ء بروز سوموار (دوشنبہ) ہوگی اور
اس حساب سے اگر ۲۹ ذی الحجہ کا چاند ہوا تو عشرہ ۲۰ جولائی سنہ ۱۹۲۶ء بروز
منگل اور اگر ۳۰ ذی الحجہ کا ہوا تو عشرہ ۲۱ جولائی سنہ ۱۹۲۶ء بروز بدھ ہوگا۔
لہذا محتض اس خیال سے کہ امن عامہ میں کسی قسم کا خلل واقع نہ ہو نوٹس
حسب دفعہ ۱۴۴ ضابطہ فوجداری جاری کرنے کی کافی وجہ و ضرورت معلوم
ہوتی ہی لہذا نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری بہ احکام ذیل جاری کیا
جاتا ہی جس کی پابندی ہر خاص و عام پر لازم ہوگی۔

(۱) مسلمانان اپنے علم و تخت و تعزیرہ خاص خاص تاریخوں میں نکالا
کرتے ہیں وہ ایام بھی مثل سالہائے گذشتہ انہیں تاریخوں اور انہیں
اوقات اور انہیں راستوں سے نکالینگے جیسا کہ سالہائے گذشتہ میں نکالے جا
چکے ہیں *

(۲) پانچ محرم کو وزیر والا تخت جس کو کلن عرف لا اٹھاتا ہی اپنے
مقام محلہ بینہ چودھری سے اٹھ کر اُس گلی میں جائیگا جو لالچی بڑھئی اور
ناراچند بڑھئی کے بیچ سے شروع ہوتی ہی۔ آگے چل کر بہاری دھوبی اور
امامبازہ تقی بیگ کے درمیان والی سڑک میں مڑیگا اور حافظ بلاتی کے سامنے
کوٹوالی والی سڑک پر نکلیگا اور دھنوں کے مسجد کے وہاں اور دوسرے
تختوں سے مل جاویگا اور پھر اُسی راستہ سے واپس ہوکر اُس گلی میں جو
بھولی بڑھئی اور ہوری لال بڑھئی کے بیچ میں سے محلہ بینہ چودھری سے
ہوکر محلہ فیلسخانہ کو جاتی ہی بہ ہمراہی دیگر تختوں کے روانہ ہوگا بعد
گشت شہر واپسی میں دھنوں کی مسجد سے سیدھا اپنے مکان کو درگا مستری
کے مکان سے ہوتا ہوا واپس چلا جاویگا *

(۳) ۷ محرم کو عبداللہ اپنا تخت نکالیگا۔ اٹھاتے وقت اپنے مکان سے
جانب دکن اُس سڑک پر جاویگا جو درمیان مکان عبدالعزیز خان اور اسماعیل
مرحوم گھڑی ساز واقع ہی اور پختہ سڑک پر مقابل مسجد چیدپیان آکر تحصیل
آئیگا اور وہاں سے سنہری مسجد کے پاس دوسرے تختوں سے مل جاویگا۔ واپسی

کے وقت سنہری مسجد پر آکر اُس سڑک پر جائیگا جو عبدالعزیز کے کنواں اور بُدھ سین موچی کی دوکان کے بیچ سے ہو کر گذرتی ہے اور جب اُس چوراہ پر پہنچے گا جہاں کہ چُپ شاہ کا چبوترا اور لالہ رام بہادر ولد لیکھراج کھنڈ ساری کا مکان ہے تو بابو شیماسندر سہاے سکسینہ مختار کی طرف مڑ جاویگا اور اُن کے مکان سے گذرنا ہوا اپنے مکان کو مڑ جاویگا *

(۴) اُس تاریخ میں ۷ محرم کو مٹاں کا تخت اپنے مکان سے اُٹھ کر جیون بخش پنجابی کی مسجد کے سامنے سے ہو کر کمپنی باغ والی سڑک پر آکر دوسرے تختوں سے ملیگا اور بعد گشت شہر شمالی دروازہ دریم گنج کے وہاں سے علیحدہ ہو کر گہنٹہ گہر کے پاس سے ہوتا ہوا جنوبی دروازہ کے سامنے ہوتا ہوا حافظ عبدالجلیل کے مکان کی طرف مڑے گا اُس سے آگے چل کر - اُس گلی میں مڑے گا جو آتما رام حجام کی دوکان اور رددر بڑھئی کے مکان کے بیچ سے ہو کر شروع ہوتی ہے اُس گلی کو طے کر کے اپنے مکان کو جائیگا *

(۵) بقیہ و تخت تعزیرہ سال ہاے سابق کے راستوں سے اُٹھ کر گشت کرینگے اور واپس جاوینگے اور اخیر روز قدیم راستوں پر دفن ہونے کو کہلا جائینگے - قدیم راستوں کی تفصیل اور وقت مقررہ بشرط ضرورت کو توالی سے معلوم ہو سکتی ہے *

(۶) تعزیرہ اور علم و جہندی جو شخص اُفتادے وہ پیشتر سے تحصیلدار صاحب پیلی ہیٹ کو یا کوتوال شہر کو اطلاع دے - جو شخص اطلاع نہیں دیا وہ مجاز اُٹھانے کا نہ ہوگا - جو شخص جہندی اُٹھانا چاہے اور اُس کو گشت کرانا چاہے تو اُس کو لازم ہے کہ یکم محرم تک تحصیلدار صاحب پیلی ہیٹ یا کوتوال شہر کو اطلاع دے *

(۷) تعزیرہ و الم و جہندی انہیں راستوں سے نکالے جاوینگے جو پہلے سے مقرر ہیں اور محلہ عنایت گنج سے غروب آفتاب سے پہلے بالکل باہر آجادیں - اگر پندرہ منٹ پہلے غروب آفتاب ہونے پر کوئی علم یا تخت یا تعزیرہ محلہ عنایت گنج سے نہ نکلا ہو تو اہلکار پولیس یا مجسٹریٹ جو موجود ہوگا وہ تعزیرہ اور تخت والوں کو فہمائش کریگا کہ پندرہ منٹ کے اندر بلا شبہ عنایت گنج سے آگے بڑھ جائیں - غروب آفتاب کا وقت جو اہلکار پولیس یا مجسٹریٹ بتائیگا وہ قبول کرنا ہوگا *

(۸) حسب دفعہ ۵ اقرارنامہ مورخہ ۲۳ جولائی سنہ ۱۸۸۵ء بعد غروب آفتاب کوئی قیودار ہندو یا مسلمانوں کا جس میں اڑھام کٹیہ اور باجا ہو بازاردن اور راستہ عام پر گشت کے طور پر نہیں نکلا جائیگا لیکن یہ شرط علموں - تعزیوں اور جہندی کی گشت کے متعلق نہیں ہے جو رات کو گشت ہوتے ہیں *

(۹) اگر چاند ۲۹ ذی الحجہ کا ہوا تو یکم محرم ۱۱ جولائی سنہ ۱۹۲۶ء کو ہوگی۔ اُس روز ہندوؤں کا رتھ جاترا کا جلوس اُٹھیکا لیکن بموجب دفعہ ۵ اِترارنامہ مورخہ ۲۳ جولائی سنہ ۱۸۸۵ء کوئی تیوہار ہندو مسلمانوں کا جس میں اڑدھام کثیر اور باجا ہو بعد غروب آفتاب نہیں نکالا جاویگا *

(۱۰) کوئی شخص ہندو یا مسلمان کوئی جدید تیوہار یا رسم جس کے ساتھ باجا اور جلوس اور مجمع ہو نکالنے کا مجاز نہ ہوگا بغیر اجازت صاحب مجسٹریٹ بہادر ضلع کے۔ اگر یکم محرم ۱۱ جولائی سنہ ۱۹۲۶ء کو ہو تو جلوس رتھ جاترا دو بجے دن سے اُٹھایا جائیگا اور نبل غروب آفتاب ختم ہو کر اپنے اصل مقام سے جہاں سے اُٹھا ہی واپس جائیگا۔ لیکن اگر جلوس رتھ جاترا محرم کے اندر نہ آوے تو کوئی پابندی نہیں لگائی جاتی ہی *

(۱۱) ہندو صاحبان اپنا گانا بجانا (جس میں سنکھہ - گھڑیال و جھانجھہ شامل ہیں) جبکہ تعزیہ و تخت و علم ایسے مندروں اور مقاموں سے گذریں جہاں کہ ہندوؤں کا گانا بجانا ہو رہا ہو اُس وقت تک جب تک کہ وہ تعزیہ - تخت علم اُس جگہ سے یا اُس مندر سے جہاں کہ گانا بجانا ہو رہا ہو نہ گذر جاوے بالکل بند رکھینگے - گانا بجانا اُس وقت تک بند رکھینگا جب تک کہ تعزیہ - علم و تخت وہاں سے کم سے کم ہو دو جانب پنجاس قدم کے فاصلہ پر ہوں *

(۱۲) جن مقامات پر کہ تعزیہ و تخت رکھے جاتے ہیں اُن کے قریب ایام محرم میں کسی قسم کا گانا بجانا نہیں کریں گے جب تک کہ وہ تعزیہ و تخت اپنے مقامات متقررہ پر رکھے ہوئے ہوں *

(۱۳) کوئی شخص ایام محرم میں جبکہ جلوس تعزیہ - علم - جھنڈی و تخت کا نکل رہا ہو - اُس وقت لائٹی یا بلم یا دیگر اسلحہ لیکن نہیں نکلیگا *

(۱۴) کوئی شخص ایام محرم میں کسی تعزیہ - تخت یا علم کے ساتھ نشہ کی حالت میں نہیں جائیگا *

(۱۵) کوئی شخص علم و جھنڈوں میں بلم استعمال نہیں کریگا *

(۱۶) ۹ محرم کو یعنی ۱۹ یا ۲۰ جولائی سنہ ۱۹۲۶ء کو بعد ۶ بجے شام کے مندر پرمت میں کسی قسم کا ناچ یا گانا نہ ہوگا اور نہ کسی قسم کا باجا بجایا جاویگا *

نوٹ - جو کوئی شخص خلاف درزی این احکام کی کریگا وہ مستوجب سزا حسب دفعہ ۱۵۳ و ۱۸۸ تعزیرات ہند کے ہوگا *

(Sd.) T. B. W. BISHOP, I.C.S.

6-7-26.

District Magistrate, Pilibhit.

Order under section 144, Criminal Procedure Code.

Whereas at present owing to communal feeling in the town of Abdul-pur-Bahadurganj all processions are forbidden by an order under section 144, Criminal Procedure Code, unless previous permission has been obtained from me, and whereas Bechu Tiwari and other Hindus of Bahadurganj have applied for permission to take out Ram Lila procession on different dates from September 26, 1927 to October 10, 1927, having previously obtained a declaration from the Civil Court of their right to take out procession along the public road, I therefore issue the following order for the conduct of this procession in order that there should be no danger of riot or breach of peace :—

1. September 30, 1927, Nak Kataya. The procession shall start from the Purani Sangat at 4 p.m. and pass out of the town before 5 p.m. and remain in the Tiwari's grove till 8 p.m.
2. October 1, 1927, Balsugriva fight. The procession shall start from the Purani Sangat at 4 p.m. and pass out of the town before 5 p.m. and remain in the Tiwari's grove till 8 p.m.
3. October 2, 1927, Lanka Dahan and Jalus Mahabirji. The procession shall start from the Purani Sangat at 4 p.m. and pass out of the town before 5 p.m. and remain in Tiwari's grove till 7 p.m.
4. October 3, 1927, Angad's visit to Lanka. The procession shall start from the Purani Sangat at 4 p.m. and pass out of the town before 5 p.m. and remain in the Tiwari's grove till 7 p.m.
5. October 4, 1927, Fight between Banras and Rakshahsas. The procession shall start from the Purani Sangat at 4 p.m. and pass out of the town before 5 p.m. and remain in the Tiwari's grove till 8 p.m.
6. October 5, 1927. Kumbh-karau and Meghnad fight. The procession shall start from the Purani Sangat at 4 p.m. and pass out of the town before 5 p.m. and remain in the Tiwari's grove till 8 p.m.
7. October 6, 1927, Rama Ravan's fight. The procession shall start from the Purani Sangat not before 1 p.m. and not later than 2 p.m. and shall not pass the Jama Masjid or mosque near to it before 2 p.m. or later than 5 p.m. and shall finish by 9 p.m.

8. October 7, 1927, Bharat Milap. The procession shall start from the Purani Sangat after 10 p.m. and finish by 5 a.m.

9. October 11, 1927, Raj Gaddi. The procession shall start after 10 p.m. and finish before 5 a.m.

10. The procession shall follow the customary Ram Lila route between the Purani Sangat and the temple of Mahabirji.

11. The procession is not to halt in front or within 50 yards of any mosque.

12. The existing prohibitions against the carrying of arms, lathis, sticks, etc. in Bahadurganj will also apply to this procession.

(Sd.) CHANDRA BALI RAI,
District Magistrate, Ghazipur.

September 29, 1927.

Order under section 144, Criminal Procedure Code.

Whereas at present owing to communal feeling in the town of Abdul-pur-Bahadurganj all processions are forbidden by an order under section 144, Criminal Procedure Code, unless previous permission has been obtained from me, and whereas Sarju Ram Kandu and other Hindus of Bahadurganj have applied for permission to take out a procession of *Dadhkandu* on August 21, 1927, being the day after Janam Ashtami, having previously obtained a declaration from the civil court of their right to take out processions along the public road, I, therefore, issue the following orders for the conduct of this procession in order that there should be no danger of riot or breach of the peace.

- (1) The procession shall start from the Purani Sangat not before 1 p.m. and not later than 2 p.m.
- (2) The procession shall not pass the Jama Masjid or the mosque next to it before 2 p.m. or later than 5 p.m.
- (3) The procession shall finish by 7 p.m.
- (4) The procession shall follow the customary route of the Ram Lila procession between the Purani Sangat and the temple of Mahabir. It does not return from the temple of Mahabir.
- (5) The procession is not to halt in front or within 50 yards of any mosque.
- (6) The existing prohibitions against the carrying of arms, lathis, sticks, etc. in Bahadurganj will also apply to this procession.

(Sd.) J. C. DONALDSON,
District Magistrate, Ghazipur.

August 17, 1927.

بحکم تھاکو مدرنندن سلگھہ صاحب بہادر سب دیوینل مجتہدیت تحصیل محمد آباد

بملاحظہ تجویز صاحب جج بہادر غازیپور مورخہ ۲۹ اگست سنہ ۱۹۲۵ع اور رپورٹ افسر اسٹیشن محمد آباد اور دریافت حالات سے ضروری معلوم ہوتا ہے کہ بعض قائم رکھنے امن کے اور انسداد بلوہ کے جس کا ۱۲ ربیع الاول مطابق ۹ ستمبر سنہ ۱۹۲۷ع بوجہ نکلنے جھنڈہ چہار یاری کے در ہی اس لیئے احکامات فوراً حسب دفعہ ۱۲۴ ضابطہ فوجداری جاری کیئے جاتے ہیں اور جھنڈہ اٹھانے والوں کو تذبذب کی جاوے کہ در صورت عدم تعمیل احکامات ذیل وہ حسب دفعہ ۱۸۸ تعزیرات ہند کے مہ تکب ہووینگے اور سزا کے مستوجب ہووینگے لہذا حسب ذیل احکامات جاری کیئے جاتے ہیں —

دفعہ ۱ — جلوس جھنڈہ ایک بجے دن سے شروع ہو کر قبل غروب آفتاب ختم ہوگا اور جہاں سے اٹھایا گیا ہے وہاں قبل غروب آفتاب واپس آجائیگا *

دفعہ ۲ — جھنڈہ مکان متصل مویشی خانہ ولی محمد تمبولی سے اٹھے کر درگاہ شیر خدا بخش کو جائیگا — وہاں سے واپس ہو کر گیا بنیہ کے موندہ سے ہو کر مکان سید مصطفیٰ صاحب و سید علی احمد صاحب کے مکان سے گذر کر بنارسی تمبولی کی دوکان سے مرکز پچھم کی گلی سے ہو کر مسجد پر پہنچ کر اور بعد فراغت مسجد کے پورب کی گلی سے ہو کر رسول کے مکان سے صدر سڑک پر آئینگے — اس کے بعد حسنین کے مکان سے مرکز فصیح الدین کے مکان سے ہوتے ہوئے صدر سڑک کاندوئوں کے مکان سے ولی محمد کے مکان پر پہنچ جاوینگے *

دفعہ ۳ — صرف ولی محمد تمبولی جس نے منبت مانی ہے وہ اور اس کے گھر کے اشخاص و احباب جھنڈہ کے ساتھ چلیں گے جس کی تعداد پچیس آدمی سے زائد نہ ہوگی *

دفعہ ۴ — تعداد تماشاخی حتی الامکان کم ہوگی اور بجز ملازمان پولیس و دیگر حکام جو انتظام ہذا میں ہوئینگے بقیہ تماشاخی پچاس قدم کے فاصلہ پر جھنڈہ سے رہیں گے *

دفعہ ۵ — کوئی تماشاخی ہندو یا مسلمان یا دیگر مذہب علاقہ ہذا یا ضلع غیر یا باشندہ بہ ضلع ہذا اور اشخاص اٹھانے والے جھنڈہ اور منتظمین جھنڈہ کوئی لائٹی - قندہ - بنا - بنیہ - گدگا - قلواری - بلم - بچھا - بندوق یا کوئی دیگر سامان آلہ حرب دوران جلوس میں ساتھ نہ لیگا اور نہ استعمال کریگا *

دفعہ ۶ — کسی قسم کی آتشبازی یا بم یا پٹاخہ منظمین یا اٹھانے والے جھنڈہ استعمال نہ کریں گے *

دفعہ ۷ — محض قوالی جھنڈہ کے ساتھ ہوگی یا باجا میں صرف تاشہ ڈھول ہوگا *

دفعہ ۸ — کوئی ایسی حرکت زبانی یا جسمانی نہیں کی جاوے گی جس سے اہل تشعہ کی دل آزاری ہو اور نہ کوئی اشعار ایسے پڑھے جاوینگے جس سے اہل

تشیع کے مذہب پر اعتراض و تعذہ تشنہ ہو تو ال نہ پڑھینگے - متحدہ اصحاب کی تعریف پڑھینگے *

دفعہ ۹ — جلوس چھنڈہ کسی شیعہ کے مکان کے سامنے ٹھہرایا نہ جاویگا *

دفعہ ۱۰ — کوئی اہل تشیعہ چھنڈہ کے جلوس میں مزاحمت نہ کریں گے نہ کوئی ایسا فعل زبانی و جسمانی کریں گے جس سے اہل تسنن کی دل آزادی ہووے *

اس نوٹس کا نفاذ ابتداء ۸ ستمبر سنہ ۱۹۲۷ء لغایت ۱۱ ستمبر سنہ ۱۹۲۷ء تک رہیگا *

آج یہ نوٹس ہمارے دستخط و مهر عدالت سے جاری کی گئی *

تاریخ یکم ستمبر سنہ ۱۹۲۷ء (دستخط) بخت انگریزی

نقل نوٹس حسب دفعہ ۱۴۳ ضابطہ فوجداری

بزم برکت اللہ و عبدالستار ساکدان محلہ نور الدین پور دھنئی پورہ شہر غازیپور

ہرگاہ ہمارے رویہ ظاہر کیا گیا ہی کہ تم برکت اللہ و عبدالستار مذکور اُس مقام پر تعزیر رکھنا و اُٹھانا چاہتے ہو جس کی بابت عدالت دیوانی سے فیصلہ منسا کوہار کے حق میں حکم ہو چکا ہی اور جو کہ منسا کوہار و مسماۃ تیملی کے مکانات کے درمیان واقع ہی اور جس کی بابت منسا کوہار ڈگریڈار کو عذر ہی اور اُس مقام پر تعزیر رکھنے و اُٹھانے کے گھمانے کے خلاف منسا مذکور ہی جس سے ایک خاص صورت احتمال نقض امن کی ہی علاوہ اس کے جس راستہ سے تعزیر لے جانے کی ممانعت پارسال ہوئی تھی اُسی راستہ سے تعزیر تم لوگ اُمسال لے جانا چاہتے ہو اور اُس راستہ کے متعلق بھی احتمالات فساد کا رہا ہی اور اُمسال بھی ہی لہذا اُس ممانعت شدہ راستہ سے جو کہ درمیان بہدرپور کھرورام دھنئی کے سنگت کے واقع ہی ہرگز تعزیر نہیں لے جایا جا سکتا اور چونکہ تم لوگ اور کوئی دوسری جگہ تعزیر نہیں رکھنا چاہتے ہو اور نہ دوسرا راستہ قریب تر کا جو کہ مسماۃ تیملی و دوساھن و عبدالستار کے اُس مکان کے درمیان ہی جس سے عبدالستار بیدخل ہو چکا ہی اختیار کرنا چاہتے ہو لہذا بذریعہ اس تعزیر کے حکم دینا ہوں کہ تعزیر اُس مقام پر جس کی بابت عدالت دیوانی سے فیصلہ ہو چکا ہی ہرگز نہ رکھو نہ اُٹھاؤ نہ گھماؤ اور نہ اُس راستہ کو جس کی بابت پارسال ممانعت ہو چکی تھی تعزیر کے ساتھ نہ اختیار کرو۔ یہ حکم ہو دو اشخاص مندرجہ بالا کے علاوہ اُن لوگوں پر بھی عائد آئیگا جو لوگ کہ کسی قسم کا تعلق عبدالستار کے تعزیر کے ساتھ رکھتے ہیں و دیگر ہر اشخاص و عوام پر بھی جو اُس تعزیر کو اُس ممانعت شدہ راستہ و ممانعت شدہ مقام پر

دکھنا و لے جانا خواہ اُنہاڻا چاهیں تاریخ ۳ لغایت ۱۲ محرم تک عائد رہیگا
 اور خلاف درزی مستوجب سزا زیر دفعہ ۱۸۸ تعزیرات شد ہوگی *
 المرقوم ۴ جولائی سنہ ۱۹۲۷ ع

(Sd.) CHANDRA BALI RAI. (سختخط)

ORDER.

Whereas it is necessary in order to prevent serious breaches of the peace to regulate music in streets and houses during Moharram, I hereby order that no music be played in streets and houses from July 3 to 11 inclusive, without obtaining permission from the district authorities. This applies to Sitapur old and new cities within the municipality.

(Sd.) F. CRUIKSHANK,

District Magistrate, Sitapur.

July 2, 1927.

Notice under section 144, Criminal Procedure Code.

In view of the strained feelings between the Hindus and Muhammadans of Biswan town, it is considered necessary to issue the following notice during the Dasehra festival, to facilitate the maintenance of peace and order.

This notice will remain in force from October 14, 1926 to October 22, 1926, both days inclusive.

(1) No one will be allowed to join, or to take part in the Dasehra processions in Biswan town, armed with lathis or with any other weapon or firearms. Nor will such lathis, weapons or firearms be allowed to be carried in streets and public places between 2 p.m. to 10 p.m. (2 p.m. to 2 a.m. on October 18, 1926).

(2) This condition No. (1) shall not apply to the police and the Magistrates or officials on the duty in the processions.

(3) Carrying of sticks shall be allowed, which should not exceed 3 feet in length and 3 inches in girth or one inch in diameter.

(Sd.) ASAF ZAMAN,

Sub-Divisional Magistrate, Sitapur.

October 11, 1926.

No. 3.

Notice under section 144, Criminal Procedure Code.

Whereas I have reasons to understand that the communal feelings in Biswan town are far from satisfactory, and whereas the Muharram festival is about to commence, I, therefore, with a view to maintain peace and order issue the following notice under section 144, Criminal

Procedure Code, which will remain in force for a fortnight from the date of publication :—

- (1) No blowing of sankhs and gharials, etc., is permitted between the 1st and 6th Muharram, both dates inclusive, except for purposes of worship, only for two hours in the mornings and the evenings, i.e., from 6 a.m. to 8 a.m. and 6 p.m. to 8 p.m.
- (2) From 7th to 9th Muharram, both dates inclusive, the sounding of sankhs and gharials, etc., is prohibited. For purpose of worship these can be sounded for one hour only morning and evening on the above dates (6 a.m. to 7 a.m. and 8 p.m. to 9 p.m.).
- (3) No music—sanks or gharials, etc.,—will be allowed on the 10th Muharram.
- (4) Private music in houses or in streets, such as on the occasions of births, mudans, marriages, or any other music likely to offend the religious feelings of Muhammadans is prohibited between the 7th and 10th Muharram, both dates inclusive.
- (5) The music mentioned in paragraph 4 can be allowed between the 1st and 6th Muharram provided that the permission for the same is obtained beforehand from the District Magistrate.

(Sd.) ASAF ZAMAN,

For District Magistrate, Sitapur.

June 27, 1927.

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No. 3A.

Notice under section 144, Criminal Procedure Code.

No. 2.

In continuation of the notice under section 144, Criminal Procedure Code, dated June 27, 1927, the following orders are passed regarding the Kudwara ceremonies which will coincide with the Muharram week :—

- (1) Ratjaga is permitted in houses with music, excluding sankh and gharials, on the nights between 29th Zilhij and 1st Muharram subject to the visibility of the moon on June 30 and between 3rd and 4th Muharram. On these dates music can be played in the temples during the day time till 1 p.m., excluding sankhs and gharials. The music must be finished by 1 p.m.
- (2) On the night between 7th and 8th Muharram no music shall be allowed, nor during the day of 8th Muharram. The prohibition shall hold good for the 10th Muharram also.

The Kudwara ceremonies can be performed on the 1st and 4th Muharram from 7 a.m. to 1 p.m.

(Sd.) ASAF ZAMAN,

Sub-Divisional Magistrate, Bijnan.

June 29, 1927.

No. 3B.

Notice under section 144, Criminal Procedure Code.

No. 3.

In view of the strained feelings between the two communities in Biswan town, it is considered necessary to issue the following notice during the "Ashra Muharram" to facilitate the maintenance of peace and order :—

1. No one will be allowed to join or to take part in the Muharram processions in Biswan town armed with lathis, weapons or fire arms, nor will such lathis, weapons or firearms be allowed to be carried in streets and public places between 5th and 10th Muharram, both inclusive.
2. Carrying of sticks shall be allowed, which should not exceed 3 feet in length and 3 inches in girth or 1 inch in diameter.
3. Condition No. 1 shall not apply to the police and the magistrates or officials on duty in the processions.

(Sd.) ASAF ZAMAN,

Sub-Divisional Magistrate, Biswan.

June 29, 1927.

 No. 4.
Copy of notice under section 144, Criminal Procedure Code.

Whereas I have been informed that a public meeting will be held this evening by the Hindu Sabha in order to demonstrate against the notice issued by the District Magistrate regarding private music during the Muharram week, and whereas I believe the speeches on the occasion will create excitement which might cause a breach of the peace, I therefore prohibit this meeting.

No other public meeting shall be held by the Hindu Sabha or by the Anjuman-i-Islamia or by any other Hindus or Muhammadans without my permission from the 6th to 10th Muharram, both inclusive.

(Sd.) ASAF ZAMAN,

Sub-Divisional Magistrate, Biswan.

CAMP BISWAN :

July 7, 1927.

 No. 5.
Notice under section 144, Criminal Procedure Code.

In view of the strained feelings between the Hindus and Muhammadans of Biswan town and in order to maintain peace and order on the occasion of the Jal-bihar festivals, the following orders are passed under section 144, Criminal Procedure Code, to be enforced on September 8 and 9, 1927 :—

- (1) The Jal-bihar processions shall begin at 2 p.m. on September 8, 1927 and finish at 3 a.m. on September 9, 1927 ; during the time no other processions organized by the Hindus or the Muhammadans shall be taken out without the permission of the District Magistrate.
- (2) All the Jal-bihar processions shall be controlled and regulated by the police on the spot according to the prescribed map of customary routes. All persons, whether the processionists or otherwise, shall obey the instructions given by the police. Persons disobeying such instructions or orders shall be liable to penalties.
- (3) On the dates and time mentioned in paragraph 1 no one shall be allowed to join or to take part in processions armed with lathis or with any other weapon or firearms. Nor shall lathis, weapons or fire arms be allowed to be taken in streets or public places. Carrying of sticks shall be allowed which should not exceed 3 feet in length and 3 inches in girth or 1 inch in diameter.
- (4) Condition No. 3 shall not apply to the police, magistrates or officials on duty in the processions or in public places and streets.

(Sd.) ASAF ZAMAN,

Sub-Divisional Magistrate, Biswan.

September 4, 1927.

No. 6.

Notice under section 144, Criminal Procedure Code.

The dates of the Chehlum and Janam Ashtami festivals in Biswan town coincide this year again ; it is considered necessary, in view of the strained feelings between the two communities, to pass the following orders, which will remain in force for 10 days from the date of publication :—

- (1) The Muhammadans will take out their tazias on chabutras on August 19, 1927, after 8 p.m.
- (2) On August 20 the procession of tazias will be taken out as usual and the tazias will be buried by 8.30 p.m. latest.
- (3) On August 20, 1927 the Janam Ashtami of Giristas and Bairagis will begin at 10.30 p.m. and not before.
- (4) On August 21, 1927 Dad procession will be taken out as usual.
- (5) On the night between August 18 and 19 "Jundi" ceremonies will be performed in houses with ordinary music.
- (6) On August 19 day time "Jundi" procession will be taken out with music and finished by 3 p.m. latest.
- (7) The Hindus shall not blow sankhs or gharials or private music in houses or streets likely to offend the religious feelings of the Muhammadans from the time the tazias are brought out on chabutras and are buried the next day in the evening.

- (8) The Hindus can begin or perform Janam Ashtami ceremonies at 10:30 p.m. with sankhs and gharial, and other music in temples and in houses.
- (9) On the tazias and Dad procession days no one shall be allowed to join or to take part in processions armed with lathis or with any other weapon or firearms, nor shall such lathis, weapons or firearms be allowed to be taken in streets or public places.
- (10) Condition No. 9 shall not apply to the police, magistrates or officials on duty in the processions.
- (11) Carrying of sticks shall be allowed which should not exceed 3 feet in length and 3 inches in girth or 1 inch in diameter.

(Sd.) ASAF ZAMAN,

August 12, 1927.

Sub-Divisional Magistrate, Biswan.

No. 7.

Copy of notice under section 144, Criminal Procedure Code.

Whereas I have been informed that a public meeting will be held today after 4 p.m. by the Hindu Sabha in order to demonstrate against the notice issued, dated August 12, 1927, regarding the Chehlum and Janam Ashtami festivals, and whereas I believe the speeches on the occasion will create excitement which might cause a breach of the peace, I therefore prohibit this meeting.

No other public meeting shall be held by the Hindu Sabha or by the Anjuman-i-Islamia or by any other Hindus or Muhammadans without my permission on August 19, 20 and 21, 1927, both inclusive.

(Sd.) ASAF ZAMAN,

August 19, 1927.

Sub-Divisional Magistrate, Biswan.

TRANSLATION OF ALIGARH ORDERS.

Order under section 144, Criminal Procedure Code.

(1) As a serious disturbance is in continuance for the last two days and there is every reason to believe that it will proceed further if not checked, therefore I order—

(i) no one should pass through any public street in the Aligarh City armed with lathi or any other weapon.

(ii) more than five persons should not assemble in any public street or any other public place within municipal limits.

This order will remain in force for one month.

(Sd.) J. H. DARWIN,

April 11, 1927.

District Magistrate.

(2) As communal relations estrained in the disturbances of April 10 still linger in ill-feelings and there is apprehension of breach of peace, it is hereby ordered that no one should pass through any public street in the Aligarh City armed with lathi or any other weapon.

This order will remain in force till June 15, 1927.

May 12, 1927.

(3) On account of apprehension of disturbance of peace it is hereby ordered that all residents and frequenters of Aligarh municipality should not carry weapons of any kind from July 1 to 15, 1927 on the following roads:—

- (i) Both roads from Delhi Darwaza to Karbail
- (ii) Path going from Sarai Rahman to Karualla through Nagla Mewati.
- (iii) Path going from Turkman Darwaza to Idgah.

All akharawalas should apply to the Superintendent of Police with list of men and lathis, etc., they will carry to play in the mela.

Disobedience will be prosecuted under section 188, Indian Penal Code.

(Sd) J. H. DARWIN,

June 24, 1927.

District Magistrate.

(4) As the publication of news that Muslims have killed Chamars and Hindus in the district, a communal sensation has arisen throughout the district. The public in large numbers is said to be purchasing lathis, thus there are apprehensions of breach of peace. The judgement of Justice Dalip Singh is affecting the public mind. It is hereby ordered that no one should carry arms of any kind within municipal limits; this order will remain in force till August 20, 1927. Old and infirm persons and Government servants on duty exempted.

(Sd.) AZIZ-UD-DIN AHMAD,

July 21, 1927.

District Magistrate.

(5) Whereas it is necessary to prevent any possible recurrence of a breach of the peace in Koil municipality, I hereby prohibit the carrying of lathis, sticks and weapons for two months from this date. Any breach of this order renders the offender liable to punishment under section 188, Indian Penal Code. Police officers are authorized to take in their possession any weapons or lathis or sticks which may be carried in contravention of this order.

(Sd.) P. W. MARSH,

September 19, 1927.

District Magistrate.

TRANSLATION OF ATRAULI ORDERS.

Under section 144, Criminal Procedure Code.

(6) As Ramlila will be held in the Atrauli town and there is apprehension of breach of public peace, I order that the inhabitants of the

town and frequenters should not carry arms of any kind, including lathis and sticks, within the municipal limits. This order will remain in force for one month.

(Sd) ILLEGIBLE,

September 20, 1927.

Sub-Divisional Magistrate, Atrauli.

(7) To the members of Ramlila Committee and those who take active part in the Atrauli Ramlila.

As it has been decided that Ramlila will be held this year and processions will pass by mosques within municipal limits, you are hereby required to manage fair so that nothing wrong happens. It is strictly forbidden to carry music of any kind before mosques or within 200 paces of mosques. This will remain in force from September 21, 1927 to October 9, 1927.

(Sd.) ILLEGIBLE,

September 20, 1927.

Sub-Divisional Magistrate.

8) To tahsildar and station officer, Atrauli.

A copy of order under section 144, Criminal Procedure Code, to the members of Ramlila Committee and residents of the town has been sent to you. Please have them signed by those who wish to do so, Hindus and Muhammadans. The order should be published at conspicuous places and proclaimed by beat of drum.

Similarly the order relating to carrying of weapons of any kind is to be proclaimed.

(Sd) ILLEGIBLE,

September 23, 1927.

Sub-Divisional Magistrate, Atrauli.

(9) To the members of Ramlila Committee and others concerned. In modification of the order issued on September 20, 1927 regarding Ramlila procession, it is hereby ordered that no procession will pass by any mosque noted below at the time of evening prayer. The procession will be stopped dead if the prayer is being conducted :—

1. Mosque Chaudharies—Between shops of Liladhar and Bhopal.
2. Mosque Pirzadgan—Between the shop of tailor and Siriram factory.
3. Mosque Qila in front of tahsil.
4. Mosque Qurban Ali } Between the houses of Abdul Latif and
5. Mosque Tullan } Abdullah Khan.
6. Mosque Buniadpara.

(Sd.) ILLEGIBLE,

September 23, 1927.

Sub-Divisional Magistrate, Atrauli.

Copy of order under section 144 Cr. P. C.

Whereas there have been disturbances at Rath town during communal festivals in the previous years and the communal relations in that town are not quite good, and to prevent a breach of peace going armed

with lathis, firearms, swords, spears, or other dangerous cutting instruments by any person is forbidden under section 144, Criminal Procedure Code, during the 6th to 10th of Muharram within notified area Rath.

Walking sticks of 2 inches and less in diameter, infirm and old persons who cannot walk without the support of sticks, and swords, etc., actually required as religious paraphernalia are exempted from this order.

Swords and lathis required for *akharas* accompanying processions can be taken out with permission of the tahsildar, the magistrate in charge of the town, and will have to be stopped when ordered by him to do so

(Sd.) BABU PERSHAD, .

June 29, 1927.

Sub-Divisional Magistrate

HAMIRPUR.

Translation of the order issued under section 144, Criminal Procedure Code.

Whereas it has come to my notice that some cases have occurred in Hamirpur which are likely to cause breach of peace during Ramlila festival. It is therefore ordered, as required by section 144, Criminal Procedure Code, that nobody shall, within the limits of town area Hamirpur, take with him lathis, firearms, swords, spears or big knife from October 6 to 12, 1927, both days inclusive. Some of the arms, viz., swords and spears, ordinarily required for Ramlila procession may be used, but the police shall keep a watch to the number of such arms not being exceeded beyond the actual need.

Translation of the order issued under section 144, Criminal Procedure Code.

1. Whereas it has been brought to my notice that some mosques are on the way where from Jal-bihar procession passes through and takes place close to those mosques at prayer-time.

2. Whereas it has also come to my notice that there had been or was likely to be the breach of peace between Hindus and Muslims close to these mosques in former years. Lately some disturbance had occurred among the two communities close to Juma mosque. In 1925 bricks were thrown over the procession from the mosque of Chaudhries which caused riot.

In 1926 a riot close to the mosque of Bisaties was prevented by the tactful activities of the station officers.

3. Whereas it has also come to my notice that communal relations between Hindus and Muslims of Rath are not quite good and some of the persons have also been bound over under section 107, Criminal Procedure Code, hence having all possibilities in view the following orders are issued to prevent breach of peace as well as to give an opportunity to both the parties to perform their religious functions and duties with facility. Both the parties shall have to comply with these orders and the station officer whoever may be posted at Rath during the time shall be responsible to have them complied with. If any breach occurs one shall be prosecuted under section 188, Criminal Procedure Code. These orders shall remain in force only on September 7 and 8, 1927.

(a) At Jal-bihar festival two processions take place in the town of Rath. This year Ganeshji's Biwan procession shall be celebrated on September 7, 1927, and the other on September 8, 1927. The following instructions are issued for the Ganeshji's Biwan procession :—

(b) This procession will be out at 2 p. m. or after and going through bazar shall be out of the compound of the police outpost near Juma mosque by 4.15 p. m.

(c) *Asir* prayers in the Juma mosque shall be performed after 4.30 p.m. and not earlier, and the *namazis* shall go to mosque after 4.15 p.m. and not earlier but Pesh-Imam and Mutawalli of the mosque, if any, may remain in the mosque.

(d) Ganeshji's Biwan shall pass Chaudhries' mosque by 6 p.m. and shall reach its destination by 7.30 p.m.

(e) No one except Pesh-Imam and Mutawalli of the mosque, if any, shall remain in the mosque Ganeshji's Biwan passes in front of Chaudhries' mosque.

4. (a) On September 8, 1927 Biwans shall be out of their places at 2 p. m. or after. Some other Biwans which go to Bara Dewala from the bazar via backside of the Juma mosque shall leave the compound of the police outpost near Juma mosque by 4.30 p. m.

(b) *Asir* prayer in the mosque shall be offered after 4.30 p. m. and the *namazis* shall go to mosque after 4.15 p.m. and not earlier than that. No one but Pesh-Imam and Mutawalli, if any, shall remain in the mosque.

Other Biwans having no mosque on their way shall reach Bara Dewala by their fixed ways as usual.

5 This procession or any part of it shall not go further than the shop of Bhagauna Vaish before 7 p.m.

6. Muhammadans shall offer their prayers of *Maghrib* at fixed time in the Chaudhries' mosque and shall finish it by 6.45 p. m. and thereafter vacate the mosque. There should be no one in the mosque by 7 p.m. except Pesh-Imam and Mutawalli of the mosque, if any.

7. This procession shall not go further from Rohania ground before 9 p.m.

8. Muhammadans shall offer their *Eshai* prayer in the Bisatis mosque before 9 p.m., and after offering prayer shall vacate the mosque at once. There should be nobody else in the mosque by 9 p.m. except Pesh-Imam and Mutawalli of the mosque, if any.

9. This procession shall reach the bazar by 10 p.m.

10. Nobody within the limits of Rath notified area shall arm himself with lathis, firearms, swords, spears and other dangerous cutting instruments on September 7 and 8, 1927.

11. Sticks of 2 inches and less in diameter, infirm and old persons who cannot walk without the support of sticks, and swords, etc., actually required as religious paraphernalia are exempted from this order.

12. Swords and lathis required for *akharas* accompanying processions can be taken out with permission of the tahsildar, the magistrate in-charge of the town, and will have to be stopped when ordered by him to do so.

Translation of the order issued under section 144, Criminal Procedure Code.

Whereas it has been brought to my notice that Chehlam and Janam Ashtami festivals coincide this year, i.e. both fall on August 19, 1927, and it has also come to my notice that these festivals did fall on one and the same day in 1926, and it has also come to my knowledge that an agreement to the timing was arrived at by Hindus and Muslims and both the parties had acted upon it.

It has also come to my notice that communal relations between Hindus and Muhammadaus of Rath are not quite good, and some of the persons have been bound over under section 107, Cr. P. C., hence with a view to maintain peace the following orders under section 144, Cr. P. C., are issued. Both the parties shall have to obey them and the station officer, whoever may be posted at Rath during these days, shall be responsible for it, failing which one shall be liable to prosecution under section 188, I. P. C. Muhammadaus taking out their tazias at 2 p.m. or after shall reach the fixed place near M. Ata-ullah's house by 7 p.m. and the tazias shall be buried in Karbala grounds by 8.30 p.m. Hindus in their houses and temples situating towards North and on the pucca road near M. Ata-ullah's house shall commence their Janam Ashtami ceremonies after 8.30 p.m. and not earlier than that. Janam Ashtami ceremonies in two of the temples (i) Baba Dobal Das temple in front of the warehouse (ii) Auraiya Baba temple situated behind the Mission bungalow shall begin after 9.30 p.m., and not earlier than that.

Nobody within the limits of the Rath notified area shall arm himself with lathis, firearms, swords, spears or other dangerous cutting instruments on August 19, 1927.

Sticks of two inches and less in diameter, infirm and old persons who cannot walk without the support of sticks, and swords, etc., actually required as religious paraphernalia are exempted from this order.

Swords and lathis required for *akharas* accompanying processions can be taken out with permission of the tahsildar, the magistrate in charge of the town, and will have to be stopped when ordered by him to do so.

(COPY).

Whereas there are two marriages to be held at Nasirabad today and the following days during the Muharram week and whereas trouble is apprehended, and whereas parties have come to an agreement in order to prevent the trouble, and it is necessary for the immediate prevention of the trouble, to regulate the marriage procession according to that agreement, I hereby order under section 144, Criminal Procedure Code:—

- (a) Balbhadar Sonar will take out his marriage procession with music between 7 and 9 a.m. on July 8, 1927. He shall not play music at any other time.
- (b) If Balbhadar wants to have a dance it shall be held at Bazar Lala Sahib and not at his house.
- (c) Lala Brajmohan Lal shall not perform any rites with music on July 11, 1927, 12 noon and 3 p.m. At other times and

other days he shall be free to perform his ceremonies with music without any obstruction from any one. His barat will stay in Kaithan Purwa.

Balbhadar and Lala Brajmohan Lal are hereby ordered to observe the restrictions imposed on them as above, and the public of Nasirabad is ordered not to interfere or obstruct their ceremonies which have been allowed in any way. Any disobedience of this order shall be punishable under section 188, Indian Penal Code. This order shall remain in force up to July 12, 1927.

(Sd.) ANAND SAROOP,

CAMP NASIRABAD:

Sub-Divisional Magistrate, Salon.

July 8, 1927.

Notice under section 144, Criminal Procedure Code.

Whereas I have come to know that Chehlum is being observed all over today and that you, the taziadars of Phulwaria and its neighbouring villages, intend to observe it tomorrow, which owing to Janam Ashtami might lead to any disturbance or breach of peace, it is therefore hereby ordered under section 144, Criminal Procedure Code, that you, the said taziadars, shall observe the Chehlum and take out your tazias today; and in case you do not want to do so, you shall not take out your tazias at all. This order will remain in force for 15 days, and disobedience thereof is punishable under section 188, Indian Penal Code.

(Sd.) R. L. DAR,

August 19, 1927.

Sub-Divisional Magistrate, Maharajgunj.

11 a.m

Copy of order under section 144, Criminal Procedure Code.

Whereas I have come to know that the taziadars of Phulwaria and its neighbouring villages have prepared new tazias this year for Chehlum and want to take them through the fields of several zamindars spoiling the standing crops therein, which is likely to lead to disturbance or breach of peace, I therefore hereby order under section 144, Criminal Procedure Code, that the said taziadars shall take their tazias during this Chehlum along the terraces of fields, passing one after the other, so that the crops of the fields which lie along the route may not be spoiled. This order will remain in force for 15 days. Any person disobeying this order is liable to punishment under section 188, Indian Penal Code.

(Sd.) R. L. DAR,

Sub-Divisional Magistrate, Maharajgunj.

August 18, 1927

Order under section 144, Criminal Procedure Code.

Whereas it has been made to appear to me that some bandsmen in this district of Gorakhpur have begun arming themselves with spears, daggers, etc., when accompanying processions and attending celebrations, and whereas in my opinion the carrying of such weapons is a danger to the public and liable to disturb the public tranquillity, I do hereby prohibit any weapons such as guns, lathis, spears, daggers, knives, etc., being carried by bandsmen when functioning as a band.

Given under my hand and seal this 10th day of October, 1927.

(Sd.) W. CHRISTIE, I.C.S.,
District Magistrate, Gorakhpur.

نقل نوٹس جو کہ برطبق جلوس دہدہ کاندو ر چہلم قصبہ
لار میں جاری ہوئی

بحکم جناب سید محمد ذاکر صاحب بہادر مجسٹریٹ درجہ اول
دیور یا ضلع گوردھپور

نوٹس بغرض آگاہی ہر خاص و عام قصبہ لار تہانہ سلیم پور حسب دفعہ ۱۴۴
ضابطہ فوجداری

ہرگاہ رپورٹ سب انسپیکٹر تہانہ سلیم پور صاحب مورخہ ۱۹ اگست سنہ ۱۹۲۷ع
اینجانب کو معلوم ہوا ہے کہ بہ سلسلہ جنم استمی دہدہ کاندو ر چہلم تاریخ
۱۹ اگست سنہ ۱۹۲۷ع لغایت ۲۱ اگست سنہ ۱۹۲۷ع رسوم چہلم و جنم استمی
ہم دو مذاہب کا ہرگا اور اتوار کو اس قصبہ لار میں بازار کا ہجوم ہوتا ہے اور
وہی دن دودھ کاندو کا مقرر ہے اور حال میں بقیہ ضلع چمپارن میں ایک سنگین
بلوہ ہم دو مذاہب کے درمیان ہوچکا ہے اور قصبہ لار کے ہندو مسلمان کے درمیان
کشیدگی ہے لہذا بہ نظر مذاہب یہہ نوٹس جاری کی جاتی ہے کہ آج ۱۹ اگست
سنہ ۱۹۲۷ع لغایت ۲۱ اگست سنہ ۱۹۲۷ع کوئی شخص اسلحہ وغیرہ مثل ہندوق
و بلم - تلوار - ہوچالی و چھرا و چھڑی وغیرہ یا لٹھ - دندا بہ استثنائے پتلی
چھڑی یا بید دستی تین فٹ لائبر آدھ انچھہ قطر موٹی سے زیادہ لیکر یا باندھ کر
الدر قصبہ لار نہ نکلے اور قصبہ لار میں کوئی شخص اپنے مکان یا چھت پر بغرض
نقص امن اینٹ - کنکر - پتھر یا اُس کے ٹکڑے جمع نہ کریں اور نہ پیندکیں ورنہ
اُن کے خلاف کارروائی ضابطہ عمل میں لائی جاوے گی - تاریخ ۱۹ اگست
سنہ ۱۹۲۷ع •

حکم بموجب مشعر امتناع مزاحمت و بلوہ وغیرہ

(دفعہ ۱۴۴ - ضمیمہ ۵ - نمونہ نمبر ۲۱)

بعدالت جناب منشی احمد سعید خان صاحب بہادر مجسٹریٹ درجہ اول
و حاکم پرگنہ تحصیل بجنور

ہرگاہ ہمارے نوٹس میں درخواست چھو سنگھ ولد بلا سنگھ قوم سنگھ
سائن رامو نگلی مورخہ ۱۵ اکتوبر سنہ ۱۹۲۷ء و رپورت جناب صاحب سوپرٹنڈنٹ
بہادر پولیس و حکم جناب صاحب مجسٹریٹ بہادر ہر دو مورخہ ۲۱ اکتوبر
سنہ ۱۹۲۷ء سے آیا ہی کہ موضع رامو نگلی و روشن پور کے رمیہ لوگ موضع رامو نگلی
میں چھنڈے و گروگرنہ صاحب کا جلوس ایام دیوالی میں نکال کہ جدید کارروائی
کرنے کا ارادہ کرتے ہیں جو یہ پیشتر نہیں نکلا اور نہ پولیس کے کاغذات رجسٹروں
میں اُس کا اندراج ہی اور چونکہ اِس جلوس سے موضع رامو نگلی کے مسلم فرقہ کو
جدید کارروائی ہونے کی وجہ سے اعتراض ہی اور اگر یہ جلوس نکلنے دیا گیا تو
سخت اندیشہ نقض امن کا ہی جبکہ حال میں ہی اِس موضع میں بلوہ ہوچکا
ہی اور اہل اسلام و رمیہ لوگوں کے جذبات کو تپیس لگ چکی ہی اِس لینے ہم
حکم دیتے ہیں کہ مندرجہ ذیل رمیہ لوگ خصوصاً و موضع رامو نگلی کے رمیہ فرقہ
کے لوگ عموماً جلوس ایام دیوالی میں یعنی بقاریخ ۲۵ و ۲۶ و ۲۷ اکتوبر
سنہ ۱۹۲۷ء موضع رامو نگلی و روشن پور میں نکالنے سے باز رہیں *

چونکہ معاملہ عجلت کا ہی جس میں کہ اندیشہ نقض امن کا ہی اور تعمیل
نوٹس حسب ذیل اشخاص پر اِس قلیل عرصہ میں کرائے جانے کا موقع نہیں ہی
اِس لینے ہم یہ حکم نیکطرفہ حسب دفعہ ۱۴۴ ضابطہ فوجداری صادر فرماتے ہیں *

پولیس مقامی اشخاص مندرجہ ذیل کو حکم ہذا سے مطلع کردے اور بہ اِترار
ذیل حکم ہذا کی منادی کرائے —

آج یہ حکم بتاریخ ۲۱ اکتوبر سنہ ۱۹۲۷ء ہماری دستخط اور عدالت کے مہر
سے جاری کیا گیا *

(دستخط) بخط انگریزی

حاکم پرگنہ صاحب بہادر تحصیل بجنور

(۶) جی سنگھ عرف نرسنگھ ولد

مہیوت سنگھ

(۷) شیم سنگھ ولد ظالم سنگھ

(۸) جھجو سنگھ ولد سولا سنگھ

پدھان

(۹) سمو سنگھ ولد بلدیو سنگھ

(۱۰) رام نراین سنگھ ولد لال سنگھ

(۱) چنبا سنگھ

(۲) سرت سنگھ ولد ہزاری سنگھ

(۳) موتی سنگھ ولد ہزاری سنگھ

(۴) بیگراج سنگھ ولد گرنہ سنگھ

(۵) بیوم سنگھ ولد ہنسی سنگھ

- (۱۱) لیکھراج سنگھ ولد شیام سنگھ
- (۱۲) جگن سنگھ ولد طوطا سنگھ
- (۱۲) بلدبوسنگھ ولد گودھاری سنگھ
- (۱۳) بیجناٹھ سنگھ ولد بھوان سنگھ
- (۱۵) میول سنگھ ولد گودھاری سنگھ
- جملہ ساکنان رامو نکائی و روشن پور تھانہ چاندپور ضلع بجنور *
- (دستخط) بخط انگریزی

نقل حکم اجلاسی جناب منشی احمد سعید خان مجسٹریٹ درجہ اول تحصیل بجنور

جگناٹھ پرشاد ولد لالہ کنچ لعل قوم اہیہ ساکن مندارا مورخہ ۵ جولائی سنہ ۱۹۲۷ء بدیں مضمون کہ میرے لڑکے کی بارات ہی جو ضلع مظفرنگر سے آرہی ہے اور ۷ جولائی کے دوپہر تک رخصت ہوگئی۔ اس درمیان میں رسومات شادی کے متعلق باجا انگریزی وقتاً فوقتاً بجیکا ۷ جولائی سنہ ۱۹۲۷ء کو رخصتی کے بعد کوئی باجا نہ ہوگا۔ جلوس بارات کے آج بتاریخ ۵ جولائی سنہ ۱۹۲۷ء تھانہ مندارا سے شروع ہوکر سڑک بازار چکداپڑ ہوتی ہوئی مکان سائل کے سامنے گذر کر لالہ لٹا پرشاد و لالہ دامودر پرشاد کے مکان کے سامنے کو گذر کر بازار سنہ کے راستہ سے واپس ہوکر آئینگے۔ سائلن محال میں ٹھہریں گے *

بہ منشاء دفعہ ۱۲۳ ضابطہ فوجداری حسب تحریر انگریزی حکم ہوا کہ چونکہ شادی کے پروگرام اور مقدم کے کئی جلوس میں تصادم ہوگا اس لیے درخواست ہذا منظور کیئے جانے میں کوئی اعتراض نہیں ہی لیکن سائل کوئی عمل اُن اوقات و مقامات وغیرہ کے خلاف جیسا کہ اُس نے درخواست ہذا میں ظاہر کیا ہے نہ کریگا۔ اگر وہ اپنی درخواست کے خلاف مقام جلوس و اوقات وغیرہ کے خلاف عمل کریگا تو وہ حسب دفعہ ۱۸۸ تعزیرات ہند یا اُس دفعہ کے بموجب جو اُس پر عائد ہوتی ہوں مستوجب سزا ہوگا *

اس حکم کی اطلاع فوراً سائل کو بذریعہ پولیس مقامی دی جاوے *

نقل نوٹس دفعہ ۱۴۴ ضابطہ فوجداری

بعدالت جناب پنڈت گنگا پرشاد صاحب بہار سب ڈیزنل مجسٹریٹ
درجہ اول - بجنور

بنام مسلمان کوڑی پسر گلزاری چوہان و ہدیو داد جہانی و گنپت ولد بلدیو و بھولا سنگھ و چندن سنگھ و شیوناتھ سنگھ قوم چوہان ساکنان موضع پورینی تھانہ نکیڈہ

ہرگاہ کہ ہم کو معلوم ہوا ہے کہ تمہارا اہل اہل عالم محال پورینی متعلقہ تعزیروں کے جھڑا و فساد کرنے کا ہے جس سے احتمال ہلوہ و نقض امن

کا ہی لہذا تم کو حکم دیا جانا ہی کہ قیمتی تعزیوں کے لئے جانے کے واسطے یہہ راستہ تجویز کیا ہی کہ موضع جمال پور سے نکل کر کھیتوں میں کوہٹیا ہٹیا ہو کر چوکی ریل سے گذر کر گوندے گوندے موضع بھارت پور میں مکان لٹو کے پاس گوندے سے داخل ہو کر مکان کریم بخش نلال کے سامنے ہوتے ہوئے آبادی بھارت پور میں باہر ہو کر سڑک دھام پور سے بجڑہ جاوینگے لہذا بذریعہ اس تحریر کے ہم تم کو متنبہ کرتے ہیں کہ اگر راستہ معجزہ متذکرہ بالا میں تم اہل ہندو نے کوئی دست اندازی کی تو عدول حکمی متصور ہو کر تم قانونی سزا کے مستوجب ہوو گے ہمارا یہہ حکم مورخہ ۲ جولائی سنہ ۱۹۲۷ع لغایت ۱۱ جولائی سنہ ۱۹۲۷ع نافذ رہیگا۔ چونکہ فوری خطرہ درپیش ہی اور اب اتنا وقت نہیں ہی کہ تم سے وجہ دریافت کی جاوے اس لئے یہہ حکم بطور یکطرفہ صادر کیا جاتا ہی *

آج بتاریخ ۲۳ جون سنہ ۱۹۲۷ع ہماری دستخط اور سر عدالت سے جاری ہوا *

(دستخط) بھٹا انگریزی

نقل نوٹس دفعہ ۱۴۴ ضابطہ جوداری

اجلاسی پنڈت تھما پرشاد صاحب تہویدی مجسٹریٹ درجہ اول - بھدر
بنام جملہ اہل اسلام و باشندگان مواعیات راجپورہ - محمد امین پور بھدو -
راول تھری - مید پور - الور تھری - شمس پور - سوہو شمس پور نصیب -
ساطار. اعظم پور - بگن پور - ابوالفضل پورینی پرنہ نگینہ
ہرگاہ ہم کو معلوم ہوا ہی کہ تم اہل اسلام باشندگان مواعیات مندرجہ بالا اپنے تعزیه - اُس چاہے جو قریب ختم آبادی موضع راجپورہ کے واقع ہی سیدھے موضع محمد امین پور بھدو کے کاشتکاران کے کھیتوں میں - کو لے جاتے ہو *

ہرگاہ تاریخ ۷ نومبر سنہ ۱۹۲۳ع کو یہہ صلحنامہ ہوا تھا نہ آئندہ کوئی تعزیه علاوہ راستہ نمبر ۳۳ - ۲۸۷ کے اور کسی راستہ سے نہیں لے جاوینگے اور نہ کسی کھیت مزرعہ و غیر مزرعہ میں سے گذرینگے *

ہرگاہ تم اہل اسلام مندرجہ بالا مواعیات اور دیگر مواعیات جن کے تعزیه راجپورہ آتے ہیں - تمہارے بموجب حکم جناب صاحب مجسٹریٹ بہادر مورخہ ۱۳ فروری سنہ ۱۹۲۷ع یہہ طی ہوچکا ہی کہ تم اپنے تعزیه گازی کے راستہ سے جو بہت کشادہ اور کافی ہی گذر کر اُفتادہ اراضی میں ہوتے ہوئے اپنے اپنے تعزیه مع جلوس کر بلا پو جو ندی میں واقع ہی لے جا سکتے ہیں - کھیت ہمارے مزرعہ میں تعزیه نہیں گذرینگے *

ہرگاہ اب ہم کو معلوم ہوا ہی کہ تم اُس راستہ متذکرہ بالا مندرجہ نوٹس جس کی بابت بحکم ۱۳ فروری سنہ ۱۹۲۷ع میل نمبر 89/9 میں راستہ تعزیوں کے متعلق مشرح طور پر طی ہو چکا ہی - اُس راستہ مقررہ مندرجہ بالا کے خلاف تم اپنے تعزیئے لے جانا چاہتے ہو - تمہارے اُس فعل سے احتمال بلوہ و نقص امن کا ہی *

اس لیئے ہم تم کو ممانعت کرتے ہیں کہ تم اپنے تعزیمہ کسی دیگر راستہ کو علاوہ راستہ منظور شدہ مندرجہ بالا کے ہرگز مت لے جاؤ - ہم تم کو متنبہ کرتے ہیں کہ بصورت عدول حکمی تم قانونی سزا کے مستوجب ہو گے اور ہمارا یہ حکم مورخہ ۲ جولائی سنہ ۱۹۲۷ء لغایت ۱۱ جولائی سنہ ۱۹۲۷ء نافذ رہیگا - چونکہ خطہ در پیش ہی اور اب اِتنا وقت نہیں ہی کہ تم سے بذریعہ اجراء نوٹس وجہ دریافت کی جاوے اس لیئے یہ حکم بطور یکطرفہ صادر کیا جاتا ہی *

آج تاریخ ۲۳ جون سنہ ۱۹۲۷ء کو یہ حکم ہمارے دستخط اور مہر عدالت سے جاری کیا گیا *

(دستخط) بخط انگریزی

نوٹس دفعہ ۱۴۳ ضابطہ فوجداری

نقل حکم پندت گنگا پرشان صاحب تہویدی مجسٹریٹ درجہ اول بجنور
سب ڈویژنل مجسٹریٹ تحصیل نگینہ
بنام جملہ مسلمانان قصبہ بدھا پورہ

ہرگاہ ہم کو رپورٹ پولیس قصبہ بدھا پورہ سے معلوم ہوا ہی کہ بابت تعزیمہ داری قصبہ بدھا پورہ راستہ پر جھڑا ہی اور ہرگاہ بابت تعزیمہ داری سنہ ۱۸۹۵ء و سنہ ۱۸۹۷ء و سنہ ۱۹۲۱ء میں راستہ منظور ہو چکا ہی اور وہ راستہ یہ ہی کہ جملہ تعزیمہ چاہ پختہ منہاران پر آکر جمع ہونگے اور وہاں سے یہ راستہ بازار گمہاروں کے مکان کے سامنے ہو کر چوراہا پر جو متصل مکان قیلیوں کے واقع ہی پہنچائے جاوینگے اور وہاں سے پیچھم کو موڑ کر املناس کے درخت کے نیچے ہو کر اپنے قدیم راستہ منظور شدہ پر گذر کر کربلا جاوینگے - راستہ سے جانب پہاڑ چہدر گھنہ کے مکان تک (جو رامسرپ سے خرید لیا ہی) تعزیمہ نہیں بڑھینگے بلکہ چوراہا سے پیچھم کو موڑ جاوینگے - اسی طرح مہدی اٹھانے کے متعلق بھی ۲۲ اگست سنہ ۱۹۲۳ء کو یہ حکم ہو چکا ہی کہ جس راستہ سے نکلتے رہے نکالے جاوینگے *

ہرگاہ کل مسلمانان بدھا پورہ اس امر کی بابت ہمارا اطمینان نہیں کہے کہ بجز اُن راستوں کے جو سنہ ۱۸۹۵ء و سنہ ۱۸۹۷ء میں منظور ہوئے کوئی اور راستہ حاکم مجاز نے اُن کو تعزیمہ لے جانے کے لیئے دیا ہی *

ہرگاہ ہم کو معلوم ہوا ہی کہ تم اہل اسلام قصبہ بدھا پورہ راستہ مذکورہ بالا کے خلاف کسی اور راستہ سے اگر تعزیمہ لے جاؤ گے اندیشہ فساد و ہلوع کا باعث ہے - اس لیئے ہم بذریعہ اس حکم کے ممانعت کرتے ہیں کہ بجز اُن راستوں کے جو سنہ ۱۸۹۵ء و سنہ ۱۸۹۷ء میں منظور ہوئے کسی اور راستہ سے مہدی و تعزیمہ نہ لے جاؤ *

ہم تم کو متنبہ کرتے ہیں کہ بصورت عدول حکمی تم قانونی سزا کے مستوجب ہو گے - ہمارا یہ حکم من ابتداء ۱۶ جولائی سنہ ۱۹۲۶ء لغایت ۲۵ جولائی سنہ ۱۹۲۶ء نافذ رہیگا - چونکہ فوری خطہ در پیش ہی اس لیئے یہ حکم بطور یکطرفہ صادر کیا جاتا ہی *

آج تاریخ ۲۰ جون سنہ ۱۹۲۷ء کو یہہ حکم ہمارے دستخط اور مہر عدالت سے جاری کیا گیا *

(دستخط) بخط انگریزی

نقل نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری

بعدالت جناب پنڈت گدما پشاد صاحب سب ڈویژنل مجسٹریٹ درجہ اول
بجنور تحصیل نگینہ

بنام مسمیان ابن حسن - سہراز علی - منصب علی قمر سید و کلوا ولد
خدا بخش قوم جولاہہ ساکنان پورینی اہل اسلام و جملہ باشندگان پورینی

ہرگاہ ہم کو رپورٹ پولیس نگینہ سے معلوم ہوا ہی کہ تم اہل اسلام متعلقہ
ان تعزیموں کے کہ جو جمال پور سے مبارکپور کی جانب کو جاتے ہیں فریقین کو
اشتعال دیتے ہو - تمہارے اس فعل سے احتمال نقض امن و بلوہ کا ہی لہذا حکم
دیا جاتا ہی کہ تعزیم موضع جمال پور سے موضع مبارکپور میں ہوکر اس طرح
لے جائے جاویں کہ راستہ میں جو فصل بوئی ہوئی ہی اُس میں بنڈیا سے ہوکر
جانی ہی اور کسی قسم کا نقصان نہ ہووے - موضع مبارکپور میں شیومیدہ کے مکان
کے سامنے ہوکر کریم بخش کے مکان پر کھیل کر سیدھی سڑک دھامپور چلے
جاویں لہذا بذریعہ اس تحریر کے ہم تم کو متنبہ کرتے ہیں کہ اگر راستہ مجوزہ
متذکرہ بالا میں تم اہل اسلام میں فریقین کو کوئی اشتعال دیا یا مزاحمت کی
تو عدول حکمی مقصود ہوکر تم قانونی سزا کے مستوجب ہوگے - ہمارا یہہ حکم
مورخہ ۲ جولائی سنہ ۱۹۲۷ء لغایت ۱۱ جولائی سنہ ۱۹۲۷ء نافذ رہیگا -
چونکہ فوری خطہ دریدہ - ہی اور اب اتنا وقت نہیں ہی کہ تم سے بذریعہ
پولیس وجہ دریافت کی جاوے اس لیے یہہ حکم بطور یکطرفہ صادر کیا جاتا
ہی *

آج تاریخ ۲۳ جون سنہ ۱۹۲۷ء کو ہمارے دستخط اور مہر عدالت سے جاری
کیا گیا *

(دستخط) بخط انگریزی

نقل نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری

بحکم شیخ عزیزاللہ صاحب بہادر مجسٹریٹ درجہ اول - بجنور

چونکہ سالگذشتہ میں موضع پورینی میں متعلق جلوس جوکہ دیوالی
کے دن مندر نکالتے ہیں اور نیز اُس راستہ کی بابت جس سے کہ جلوس ہوکر
گذرنا ہی تنازع تھا اور سب انسپیکٹر نگینہ کی رپورٹ ظاہر کرتی ہی کہ اس

سال بھی سخت تنازع ہی جس سے اندیشہ نقض امن کا ہی لہذا حکم ہذا کے ذریعہ سے موضع پورینڈی میں دیوالی کے دن جلوس اکھاڑے مع باجے کے نکالنے کی اجازت دی جاتی ہے۔ یہ جلوس اکھاڑے مع باجے کے ٹھاکر دوارے رامداس فقیر سے ۷ بجے شام تک اٹھیکا اور ٹھاکر دوارے متذکرہ بالا نشان C پر جیسا کہ نشان منسلکہ سے ظاہر ہے ۱۱ بجے رات تک واپس آجاریگا اور یہ بھی حکم دیا جاتا ہے کہ جلوس حسب ذیل راستہ سے گذریگا مقام C سے شروع ہوگا اور مقامات C N M Q R E F Y H I J A T B پر ہوتا ہوا جیسا کہ نقشے میں دیئے گئے ہیں واپس ہوگا۔ جملہ اشخاص متعلقہ کو سخت تنبیہ کی جاتی ہے کہ جلوس کے نکالنے میں جو ان راستوں سے گذریگا جو ہم نے مقرر کر دیئے ہیں کوئی مداخلت یا جکھڑا نہ کرے *

آج تاریخ ۲۰ اکتوبر سنہ ۱۹۲۷ء کو ہمارے دستخط اور مہر عدالت سے جاری ہوا *

(دستخط) بھٹا انگریزی

نقل نوٹس دفعہ ۱۴۴ ضابطہ فوجداری

اجلاسی ہندت کنجا پرشاد صاحب تہذیبی بی اے۔ ایل ایل بی مجسٹریٹ
درجہ اول بجنور

بنام جملہ اہل ہند باشندگان نگینہ

ہرگاہ ہم کو معلوم ہوا ہے کہ تم اہل ہندوں کا ارادہ متعلق جلوس رام دول
۱۰ سال جھگڑے و فساد کرنے کا ہے۔ تمہارے اس فعل سے احتمال بلوہ و نقض امن
کا ہے لہذا تم کو حکم دیا جاتا ہے کہ کوئی جلوس رام دول اکھاڑے نشانی مندرجہ
نقشہ منسلکہ یعنی نشان حرف A سے نشان B تک نہیں ہوگا۔ یہ جلوس
رام دول مندر مہادیو کلاں یعنی نشان B سے حسب رواج قدیم شروع ہوگا اور
جلوس قدیم راستوں سے بدستور قدیم گذریگا۔ مہادیو کلاں کے بڑے دروازے سے
نکل کر بازار میں ہوکر پہاڑی دروازے سے ہوتا ہوا سڑک نجیب آباد پر نکالا جاویگا۔
جو مسجدیں راستوں میں پڑیں گی وہاں حسب دستور سابق نماز کے وقت ہر دو
جانب مسجد کے پچاس قدم باجا بند رہیگا اور حسب دستور سابق جلوس
واپس ہوگا *

واپسی میں جلوس کہیں نہیں رکھیا۔ باجا بند ساتھ رہیگی لیکن مسجد
کے پاس باجا بند رہیگا *

ہم تم کو متنبہ کرتے ہیں اگر حکم معجزہ متذکرہ بالا کے خلاف تم اپنا جلوس
رام دول نکالو گے تو عدول حکمی متصور ہوکر سزائے قانونی کے مستوجب ہو گے *

ہمارا یہ حکم من ابتدائے ۱۹ اگست لغایت ۲۳ اگست سنہ ۱۹۲۷ء نافذ

رہیگا *

چونکہ اندیشہ نقض امن کا ہی لہذا حکم مذکورہ بالا صادر کیا جاتا ہی *

آج بتاریخ ۳۰ جولائی سنہ ۱۹۲۷ ع ہمارے دستخط اور مہر عدالت سے جاری کیا گیا *

(دستخط) بخط انگریزی

نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری

بعدالت جناب پندت گنگا پرشاد صاحب مجسٹریٹ درجہ اول - بجنور

بنام جملہ اہل ہنود و اہل اسلام باشندگان پورینی تھانہ نگینہ

ہرگاہ ہم کو معلوم ہوا ہی کہ تم اہل ہنود و اہل اسلام کا ارادہ جلوس رام دال نکالنے کے متعلق آپس میں جھگڑے و فساد کا ہی - تمہارے اس فعل سے احوال بلوہ و نقض امن کا ہی لہذا تم کو حکم دیا جاتا ہی کہ جلوس رام دال موافق نشانات نقشہ منسلک یعنی مقامات A F I H G F E R D I K I P M N O C B I کو بنا ہوا مقام C پہنچے واپس آ جاؤ۔ ہم تم کو متنبہ کرتے ہیں کہ اگر حکم مجوزہ متذکرہ بالا کے خلاف تم اہل ہنود اپنا جلوس رام دال نکالو گے تو عدول حکمی متصور ہو کہ سزائے قانونی کے مستوجب ہو گے - اسی طریقہ پر تم اہل اسلام کو بھی متنبہ کرتے ہیں کہ راستہ مجوزہ متذکرہ بالا میں جو جلوس رام دال نکالنے کے متعلق میں نے تجویز کیا ہی تم نے کوئی دست اندازی یا مزاحمت کی تو عدول حکمی متصور ہو کہ سزائے قانونی کے تم اہل اسلام مستوجب ہو گے - لہذا یہ حکم مورخہ ۱۹ اگست سنہ ۱۹۲۷ ع لغایت ۲۳ اگست سنہ ۱۹۲۷ ع نافذ رہیگا - چونکہ اندیشہ نقض امن کا ہی لہذا حکم مذکورہ بالا صادر کیا جاتا ہی *

آج بتاریخ ۳۰ جولائی سنہ ۱۹۲۷ ع ہمارے دستخط و مہر عدالت سے جاری کیا گیا *

(دستخط) بخط انگریزی

نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری

بعدالت جناب پندت گنگا پرشاد صاحب مجسٹریٹ درجہ اول - بجنور

مورخہ ۲۰ جون سنہ ۱۹۲۷ ع

بنام امام بخش ولد نبی بخش ساکن موضع دھرم سانگل تھانہ نگینہ

ہرگاہ ہم نے یہ حکم دیا ہی کہ مطابق احکام سنہ ۱۹۲۳ ع و سنہ ۱۹۲۴ ع تعزیم دھرم سانگل تھانہ نگینہ کے راستہ مندرجہ ذیل سے نکالنے کی اجازت ہی یعنی مکان امام بخش - انتو - بہادر - کریم بخش سے جہاں تعزیم بنتا ہی پوربہ کی طرف تعزیم لے جاوا جاریکا - پھر وہاں سے دھن کی طرف مڑ کر درخت پلکھن سے

بیج کم جاویگا۔ وہاں سے پٹری نہی سے ہوکر سیدھے نہی کا پُل اُتر کر آبادی سے باہر چلے جاوینگے *

ہرگاہ مجبہ کو معلوم ہوا ہی کہ تم اس راستہ کے خلاف کسی دوسرے راستہ آبادی میں ہوکر تعزیر لے جانا چاہتے ہو۔ تمہارے اس فعل سے احتمال ہلوہ و نقض امن کا ہی لہذا تم کو بذریعہ اس نوٹس کے ممانعت کی جاتی ہی کہ تم اپنے تعزیرے بجز راستہ مندرجہ بالا کے اور کسی راستہ سے نہ لے جاؤ۔ ہم تم کو متنبہ کرتے ہیں کہ بصورت عدول حکمی تم مطابق قانونی سزا کے مستوجب ہووگے۔ ہمارا یہہ حکم ۲ جولائی سنہ ۱۹۲۷ء لغایت ۱۱ جولائی سنہ ۱۹۲۷ء نافذ رہیگا۔ چونکہ فوری خطرہ درپیش ہی اور اتنا وقت نہیں ہی کہ تم سے وجہہ بذریعہ نوٹس دریافت کی جاوے اس لیئے یہہ حکم بطور یکطرفہ صادر کیا جاتا ہی *

آج بتاریخ ۲۰ جون سنہ ۱۹۲۷ء یہہ حکم ہمارے دستخط اور مہر عدالت سے جاری کیا گیا *

(دستخط) بخط انگریزی

نوٹس دفعہ ۱۴۴ ضابطہ فوجداری

عدالت ہند گنماپرشن صاحب مجسٹریٹ درجہ اول - بجنور

بنام جمہ مسلمانون موضع جمال پور تھانہ ٹکینہ

ہرگاہ ہمارے نوٹس میں آیا ہی کہ تم اہل اسلام ساکنان جمال پور اپنا تعزیر نیشکر کے کھیت میں ہوکر ریل کی چوکی پر سے لے جانا چاہتے ہو جس میں صریحاً نقصان فصل نیشکر استادہ کا ہی اور تمہارے اس فعل سے احتمال نقض امن و ہلوہ کا ہی لہذا تم کو حکم دیا جاتا ہی کہ اُس سڑک سے جو کلیانپور سے عیدگاہ کو جاتی ہی اُس سڑک سے سڑک نٹور پر ہوکر ریل کی چوکی پر تعزیر لانا ہوگا اور کسی دوسرے راستہ کو استعمال کرنے کی ممانعت کی جاتی ہی سوائے راستہ $A E + G H O$ کے دوسرے راستہ سے اپنا تعزیر ہرگز نہیں لے جاسکتے۔ نقشہ منسلک نشان راستہ مجوزہ قائم کر دیئے گئے لہذا بذریعہ تحریر کے ہم تم کو متنبہ کرتے ہیں کہ اُس راستہ سے اپنا تعزیر جوکہ کھیت ہائے نیشکر میں گذرنا ہی اپنا تعزیر لیکر ہرگز نہ گذریں۔ علاوہ راستہ متذکرہ کے اگر کسی دوسرے راستہ سے اپنا تعزیر لے جاوے تو عدول حکمی متصور ہوکر سزائے قانونی کے مستوجب ہووگے۔ ہمارا یہہ حکم مورخہ ۷ جولائی لغایت ۱۱ جولائی سنہ ۱۹۲۷ء نافذ ہوگا۔ چونکہ فوری خطرہ درپیش ہی اور اب اتنا وقت نہیں ہی کہ تم سے بذریعہ نوٹس وجہہ دریافت کی جاوے لہذا یہہ حکم بطور یکطرفہ صادر کیا جاتا ہی *

آج بتاریخ ۶ جولائی سنہ ۱۹۲۷ء ہمارے دستخط اور مہر عدالت سے جاری کیا گیا *

(دستخط) بخط انگریزی

بحکم جناب بابو سوهن لال سریواستو صاحب بہادر مجسٹریٹ درجہ اول ضلع بجنور

جلوس دسہرہ مقام نانگل و جیت پور - سنہ ۱۹۲۷ء

حکم زیر دفعہ ۱۴۴ ضابطہ فوجداری

ہرگاہ بلحاظ موجودہ نفاق انگیز خیالات مابین اہل ہنود و اہل اسلام ہند، نانگل و مواضع قب و جوار ملحقہ نانگل ہزمانہ جلوس دسہرہ میں بابو سوهن لال سریواستو مجسٹریٹ درجہ اول ضلع بجنور خیال کرتا ہوں کہ فوری دفعیہ بغض امن و امان عوام ضروری ہے *

اس وجہ سے میں یہ حکم زیر دفعہ ۱۴۴ ضابطہ فوجداری نافذ کرتا ہوں کہ، کوئی شخص بوقت جلوس دسہرہ اور اندر جلوس دسہرہ اور نوز اندر سو گز آن راستوں سے کہ جہاں سے جلوس بمقام جیت پور و نانگل گذرے گا کوئی شخص اسلحہ آتش فشانی - تلوار - بھالہ - خنجر یا کوئی لٹھی جو کہ طول میں ۳ فٹ سے زیادہ ہو یا دو اینچہ سے اس کی موٹائی زیادہ ہو یا دوسرے ہتھیار بلا کسی تحریبی اجازت تحصیلدار صاحب نجیب آباد مجسٹریٹ اینچارج جلوس کے نہ رکھے سکیگا *

نیز مزید حکم میں صادر کرتا ہوں کہ جو اکھاڑہ جیت پور سے نانگل لایا جاویگا اس کے اس راستہ سے کہ جس پر حکام نے گذرنے کے اجازت دی ہے اس کی کوئی شخص مخالفت یا مزاحمت کرے گا تو وہ گرفتار ہوگا۔ مجموع خلاف قانون ہوگا اور کوئی شخص مخالفت یا مزاحمت اکھاڑہ متذکرہ کی نہ کرے - جو شخص کہ احکام متذکرہ بالا کی عدول حکمی کرے گا اس پر مقدمہ زیر دفعہ ۱۸۸ تعزیرات ہند چلایا جاویگا *

یہ حکم ان تمام اشخاص سے متعلق کیا جاتا ہے جو شریک جلوس ہیں یا ہمراہی جلوس ہیں اور مخصوص تمام باشندگان نانگل و جیت پور و شہزاد پور و سرے عالم اور نیز کل مواضع جو کہ ملحق نانگل ہیں اور اس حکم کا نفاذ ۶ اکتوبر سنہ ۱۹۲۷ء کی صبح ۶ بجے سے ۷ اکتوبر سنہ ۱۹۲۷ء کی ۶ بجے صبح تک نافذ رہیگا *

مہرے دستخط اور مُہر عدالت سے آج تاریخ ۵ اکتوبر سنہ ۱۹۲۷ء کو جاری کیا گیا *

(دستخط) حاکم عدالت بظط انگریزی

Order under section 144, Criminal Procedure Code.

Whereas it has been made to appear to me that the carrying of weapons and lathis by a large crowd of men on the occasion of Dadlila procession in Najibabad town would constitute a menace to public tranquillity in view of the present strained feelings between rival communities of the town, I, Sohan Lal Srivastava, Sub-Divisional Magistrate, Najibabad,

consider an immediate prevention desirable in order to prevent a disturbance of public tranquillity or a riot and hereby order, under section 144, Criminal Procedure Code, as follows :—

(1) Nobody shall carry any firearm, sword, dagger, spear, kukri or stick more than three feet in length and two inches in circumference throughout the Dadlila procession or on the shops and houses or in the bye-streets abutting upon route of the Dadlila procession except under a written permit signed and issued by the Sub-Divisional Magistrate.

(2) This order is directed to the public generally when visiting the said Dadlila procession in the town of Najibabad at any place or time along its route and shall remain in force from 11 p.m. of August 21, 1927 to 6 a.m. of August 22, 1927.

Given under my hand and the seal of the Court this 20th day of August, 1927.

(Sd) SOHAN LAL SRIVASTAVA,

NAJIBABAD :

Sub-Divisional Magistrate.

August 20, 1927.

Muharram, Najibabad, 1927.

Order under section 144, Criminal Procedure Code.

Whereas it has been made to appear to me that the carrying of weapons and lathis by a large crowd of men on the occasion of the Ashra procession in Najibabad town would constitute a menace to public tranquillity in view of the present strained feelings between rival communities of the town, I, Sohan Lal Srivastava, Sub-Divisional Magistrate, Najibabad, consider an immediate prevention desirable in order to prevent a disturbance of public tranquillity or a riot and hereby order under section 144, Criminal Procedure Code, as follows :—

(1) Nobody shall carry any firearm, sword, dagger, spear, kukri or stick more than three feet in length and two inches in circumference throughout the Ashra procession or on the shops and houses or in the bye-streets abutting upon the route of the Ashra procession except under a written permit signed and issued by the Sub-Divisional Magistrate.

(2) This order is directed to the public generally when visiting the said Ashra procession in the town of Najibabad at any place or time along its route and shall remain in force from 7 p.m. of July 10, 1927 to 6 a.m. of July 12, 1927.

Given under my hand and the seal of the Court this 8th day of July, 1927.

(Sd.) SOHAN LAL SRIVASTAVA,

NAJIBABAD :

Sub-Divisional Magistrate.

July 8, 1927.

Copy of order under section 144, Criminal Procedure Code.

Whereas it has been made to appear to me that the carrying of weapons and lathis by a large crowd of men on the occasion of Ramlila procession in Najibabad town would constitute a menace to public tranquillity in view of the present strained feelings between rival communities of the town, I, Sohan Lal Srivastava, Sub-Divisional Magistrate, Najibabad, consider an immediate prevention desirable in order to prevent a disturbance of public tranquillity or a riot and hereby order, under section 144, Criminal Procedure Code, as follows:—

- (1) Nobody shall carry any firearm, sword, dagger, spear, kukri or stick more than three feet in length and two inches in circumference throughout the Ramlila procession or on the shops and houses or in the bye-streets abutting upon route of the Ramlila procession except under written permit, signed and issued by the Sub-Divisional Magistrate.
- (2) This order is directed to the public generally when visiting the said Ramlila procession in the town of Najibabad at any place or time along its route and shall remain in force from 11 a.m. of October 6, 1927 to 6 a.m. of October 7.

Given under my hand and the seal of the Court this 5th day of October, 1927.

(Sd.) SOHAN LAL SRIVASTAVA,

NAJIBABAD :
October 5, 1927.

Sub-Divisional Magistrate.

Copy of an order under section 144, Criminal Procedure Code, passed by PANDIT VINOD CHAND SHARMA, Magistrate on special duty at Purkazi on the occasion of Muharram, 1927.

Whereas under paragraph 3 of the agreement of 1918 the circumstances stipulated in that paragraph do not exist, and whereas I am satisfied that the prescribed route is passable, I order that the Mehdi of the Halwais shall be taken out on the prescribed route and not through the mohalla Kanungoyan.

(Sd.) VINOD CHAND SHARMA.

August 9, 1927.

نقل حکم دفعہ ۱۴۴ مورخہ ۳ ستمبر سنہ ۱۹۲۳ ع

بیانات لالہ جانکی پرشاد و قاضی خادم حسین و شینخ قدرت علی خاص اشخاص
محققین کے جن کا بیان لیا گیا ہے اور — جبکہ اہل ہند و مسلمانان کی طرف ایک
مجمع عظیم موجود ہے — اندیشہ فساد و نقص امن کا معلوم ہوتا ہے اس لیے
بغرض رفع فساد اور نہ واقع ہونے کسی اندیشہ کے —
حکم ہوا کہ

پوجا خاموشی کے ساتھ تھا کہ دروازہ میں کڑی جاوے — کوئی جلسہ یا کوئی
سنگھ یا ہنگام یا اور قسم کا پھوکنے کا باجا مندر میں یا اپنے قصبہ کے اندر کہیں

بہ استثنائے محلہ شہزاد پور جو اہل ہندو کا ہی و بہ استثنائے اوقات نماز مسلمانان کے نہ بجایا جاوے۔ چونکہ احتمال اس امر کا ہی کہ سنکھہ کی آڑ میں بگل اور گھنٹہ و گھڑیال کی آڑ میں نہ بجا دیا جائے اس لینے میں اُس کی بھی ممانعت کرتا ہوں۔ میرے خیال میں یہ امور جدید ہیں۔ چلوں کی بابت میں کسی وقت اور کسی دن درمیان ۲ ماہ آئندہ کے بموجب دفعہ ۱۴۴ ضمن (۶) ضابطہ فوجداری ممانعت کرتا ہوں۔ میں یہ بھی حکم دیتا ہوں کہ کوئی پھول پتی مندر کے اندر اس طور پر جمع نہ کی جائے کہ جس کے پھر نکالے جانے کی ضرورت ہو اور جس کی اجازت نہیں دی جاسکتی۔ جانکی پرشاد اگر جمع کرینگے تو اُن کو مجبوراً وہاں رکھنا پڑیگا۔ اس حکم کی تعمیل جانکی پرشاد - منشی گیا پرشاد - منشی موہن لال - منشی رامیسر بخش سنگھ پُر کی جائے اور یہ نوٹس کسی نمایاں مقام پر اندر و باہر ٹھاکر درارہ کے لگا دیا جاوے۔ تمام اشخاص عام طور پر ممنوع کیئے جاتے ہیں کہ وہ کوئی ایسی بات نہ کریں جو اس حکم کے ذریعہ سے منع کی گئی ہو اس حکم کی تعمیل پوجاری ٹھاکر درارہ پر بھی کر دی جاوے *

(دستخط بخط انگریزی) مہزون الحسن خان صاحب

دبئی مجسٹریٹ

نقل نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری

رپورٹ پولیس اور بیانات اہل عاود و اہل اسلام سے معلوم ہوا ہی کہ اندیشہ نقض امن کا نگرام کی آبادیوں میں ہی اور قہر و جوار کے مواضع میں لوگ جمع کیئے جا رہے ہیں جس سے اور بھی زیادہ اندیشہ نقض امن کا خصوصاً اس وجہ سے ہی کہ حال میں اُمیتھی میں و نیز شہر لکھنؤ میں بلوہ ہو چکے ہیں گو اہل ہندو نے کل کے واسطے ہمارے سامنے یہ منظور کر لیا ہی کہ کل کوئی جلسہ رامین سہیا کا اور گاڑا بجانا نہ کرینگے مگر چونکہ حالات نہایت اندیشہ ناک ہوں جیسا کہ اُن کے بیانات سے خود واضح ہوتا ہی۔ لہذا —

(۱) ممانعت کی جاتی ہی کہ کوئی جلسہ رامین سہیا کا یا کوئی گانے یا سنکھہ بجانے یا کسی اور قسم کے باجا بجانے کا جلسہ بائیماندہ آج کے دن کے وقت میں آج تمام رات مع کل تمام دن نہ کیا جاویگا۔

(۲) یہ بھی ممانعت کی جاتی ہی کہ کوئی شخص اُس وقت سے جبکہ یہ حکم مشتمل کیا جاوے طلوع آفتاب ۳۰ ستمبر سنہ ۱۹۲۴ع تک نگرام پورب اور نگرام دکھن اور کٹرہ نگرام میں لائوی - دندہ یا کوئی آؤر اسلحہ کاٹنے والا یا ہونکندہ والا یا آتشبار لیکر نہ نکلے *

(دستخط بخط انگریزی) مہزون الحسن خان صاحب بہادر

حاکم پُرگنہ صاحب بہادر موہن لال گنج ضلع لکھنؤ

حکم اجلاس صاحب مجسٹریٹ بہادر ضلع برصوبہ درخواست
دیوکی لندن پوجاری حسب دفعہ ۱۴۴ ضمن (۴) ضابطہ
فوجداری

محترم قصبہ امیٹھی

میں حکم حاکم پرگنہ صاحب بہادر موہن لعل گنج کو بابت بند کرنے تھا کہ دواڑہ
اور ممانعت ہر قسم کے باجوں کو منسوخ کرنا ہوں اور بجائے انہیں وجوہ سے
جو بابت تھا کہ دواڑہ جانکی پرشاد کے دی گئی ہیں میں حکم دیتا ہوں کہ کوئی
سنکھ زمانہ محترم میں ۱۲ اگست (مشمولہ) تک نہ بجایا جاوے لیکن بابت
بجائے جانے دیگر قسم کے باجوں کے کوئی ممانعت نہیں ہے بجائے اوقات نماز
مسلمانوں کے اور ان کے تعزیوں کے جلوس کے نکلنے کے جن کے اوقات رضامندی
کے ساتھ طے کر لیا جانا امید کی جاتی ہے کہ ممکن ہوگا اگر اس طرح طے
نہ ہونگے تو بذریعہ احکام انتظامی طے کر دیئے جاوینگے •

ان احکام کی تعمیل اسی طرح کی جاوے گی جس طرح کہ تعمیل حکم
حاکم پرگنہ صاحب بہادر کی کی گئی ہے •

(دستخط انگریزی)

حاکم پرگنہ صاحب بہادر موہن لعل گنج

نقل حکم حسب دفعہ ۱۴۴ ضابطہ فوجداری مورخہ ۱۲

اگست سنہ ۱۹۲۳ء

محترم قصبہ امیٹھی

بنام آئندگان و روندگان اندر آبادی قصبہ امیٹھی و عوام الناس

ہر گاہ ہمارے ردبرو ظاہر کیا گیا ہے کہ باہر سے آدمی قصبہ کے اندر بلوے کرنے
کے لیے بلوائے گئے ہیں اور جو لوگ قصبہ کے اندر گزرتے ہیں ان کے پاس لائیں
ہوتی ہیں جس سے بلوے ہو جانے کا خطوہ ہے لہذا اس تحریر کی رو سے حکم
ہوتا ہے کہ کوئی شخص قصبہ امیٹھی کے اندر ۱۲ اگست سنہ ۱۹۲۳ء کے
۷ بجے شام کے بعد ۳۰ اگست سنہ ۱۹۲۳ء کے غروب آفتاب تک لائیں باندھ کر
نہ نکلے اور یہ بھی حکم دیا جاتا ہے کہ تواریخ مذکور میں کوئی مجمع
آدمیوں کا جو تعداد میں تین سے زیادہ ہو بعد ۷ بجے شام کے طلوع آفتاب تک
قصبہ مذکور کے اندر بجز اُس صورت کے کہ کسی جلوس کی اجازت دی گئی
ہو نہ نکلے •

(دستخط انگریزی) مہنوں الحسن خان صاحب بہادر

حاکم پرگنہ موہن لعل گنج

۱۲ اگست سنہ ۱۹۲۳ء

حکم برطبق درخواست بچوالا پوجاری تھاکر دارا جانی پرشاد
ساکن امیتھی تھانہ گوشائیں گنج ضلع لکھنؤ

اجلاسی صاحب مجسٹریٹ بہادر ضلع لکھنؤ مورخہ ۸ اگست سنہ ۱۹۲۲ع
بموجب دفعہ ۱۲۳ ضمن (۲) ضابطہ فوجداری

محکم قصبہ امیتھی

ترمیم حکم حاکم پرگنہ صاحب موهن لعل گنج حسب ذیل حکم ہوتا ہی کہ
سائلان اور عوام الناس بقیہ مدت محکم کے لیئے جو ۱۳ اگست سنہ ۱۹۲۲ع کو ختم
ہوگئی سنکھ نہ بجایا جاویگا۔ دیگر باجوں کے بجائے کی ایسے اوقات میں جو
مسلمانوں کے نماز اور تعزیه کے جلوس وغیرہ نکلنے کے ہوں اجازت ہی۔ یہہ امید
کی جاتی ہی کہ یہہ اوقات (نماز جلوس تعزیه داری وغیرہ) باہم رضامندی سے
طی ہو جاویں گے۔ اگر طی نہ ہوئے تو اُن کا تعین بذریعہ احکام انتظامی کردینا
ضروری ہوگا *

نقل اس حکم کی اسی طرح تعمیل کردی جاوے جس طرح حکم حاکم پرگنہ
صاحب کی کی گئی سی *

مورخہ ۹ اگست سنہ ۱۹۲۲ع

نقل نوٹس دفعہ ۱۴۴ ضابطہ فوجداری

مورخہ ۲۶ جولائی سنہ ۱۹۲۷ع

محکم قصبہ امیتھی

ہرگاہ ہمارے روپرو ظاہر کیا گیا ہی کہ تمہارے تھاکر دارا قصبہ امیتھی میں
تم اور تمہارے رشتہ دار اور پوجاری اور علی العموم وہ ہندو جو تھاکر دارا میں جاتے
ہیں باجا - سنکھ - گھڑیاں - گھنٹہ بجاتے ہیں اور یہہ بھی رپورت پولیس سے
واضح ہی کہ محکم کے زمانہ میں بھی وہ لوگ بجاؤں گے۔ اگر ایسا کیا گیا تو امن
عامہ میں نقص ہوگا۔ ۲ اگست سنہ ۱۹۲۲ع سے محکم شروع ہوگا اور ۱۳ اگست
سنہ ۱۹۲۳ع تک مع سوم کے ۱۳ دن دھیکا لہذا اس تھاکر کی رد سے تم کو حکم
دیا جاتا ہی اور ممانعت کی جاتی ہی کہ اُن تیرہ دن میں کوئی باجا - سنکھ -
گھڑیاں - گھنٹہ - بکل نہ بجاؤ *

(دستخط انگریزی) ممنون الحسن خان صاحب بہادر

دبیتی کلکٹر درجہ اول

۲۶ جولائی سنہ ۱۹۲۷ع

نقل حکم دفعہ ۱۳۳ ضابطہ فوجدار

مورخہ ۱۴ ستمبر سنہ ۱۹۲۷ء

چھام تصدہ امیٹھی

چونکہ حال میں ۱۲ اگست سنہ ۱۹۲۲ء کو اسی امیٹھی میں مستحکم کے زمانہ میں بلوہ ہو گیا ہی اور پھر شہر لکھنؤ میں اُس کے بعد بلوہ ہوا ہی جو کہ ابھی تک فرد نہیں ہوا ہی اور میرا خیال ہی کہ اُس کا اثر اِس مقام پر ہے۔ پہنچ کر کسی سخت بلوہ کا ہو اِس لینے میں ممانعت کرتا ہوں کہ کوئی شخص کسی قسم کی کوئی لٹھی قصبہ امیٹھی میں بعد غروب آفتاب ۱۲ ستمبر سنہ ۱۹۲۲ء کے تا طلوع آفتاب ۱۷ ستمبر سنہ ۱۹۲۲ء تک نہ لائے *

میں یہ بھی ممانعت کرتا ہوں کہ لوگ تین سے زیادہ کے غول میں قصبہ امیٹھی کے اندر غروب آفتاب ۱۵ ستمبر سنہ ۱۹۲۲ء سے طلوع آفتاب ۱۶ ستمبر سنہ ۱۹۲۲ء تک اور غروب آفتاب ۱۶ ستمبر سنہ ۱۹۲۲ء سے غروب آفتاب ۱۷ ستمبر تک بہ استثنائے اُن جلوسوں کے جن کی اجازت بذریعہ نوٹس حسب دفعہ ۳۰ پولیس ایکٹ صاحب سوپر انٹنڈنٹ بہادر پولیس نے دی ہی نہ گذرینگے *

میں یہ بھی ممانعت کرتا ہوں کہ کوئی پوجا ٹھاکہ دوارہ میں نہ کی جائیگی بہ استثنائے مندرجہ ذیل اوقات کے اور مشروط بہ احکام جو فی الحال صادر ہو چکے ہیں اور اب بھی موثر ہیں نسبت اِس امر کے کہ کوئی سنگھ اور کوئی باجا جس کی آواز مثل سنگھ کے ہو نہ بجایا جاوے گا۔

(۱) ۶½ بجے صبح سے ۷½ بجے صبح تک پوجا ہوگی *

(۲) ۱۱ بجے قبل دوپہر سے ۱۲ بجے دوپہر تک پوجا ہوگی *

(۳) ۷ بجے شام سے ۸ بجے شام تک شام کی پوجا ہوگی کیونکہ شام کے وقت مسلمانوں کے نماز کا وقت قضا میں ۶ بجے کہ ۲۵ منٹ سے واقع ہوتا ہی یہ وقت پوجا کا ۱۵ ستمبر سنہ ۱۹۲۲ء سے غروب آفتاب ۱۷ ستمبر سنہ ۱۹۲۲ء واجب التعمیل ہی *

یہ سب احکام دفعہ ۱۳۳ ضابطہ فوجداری نافذ کیئے جاتے ہیں اور عامہ خلایق پر اور مالکان اور پوجاری ٹھاکہ دوارہ پر مع اُن لوگوں کے جو پوجا کرتے ہیں موثر ہونگے اور اُن کے اوپر اُس کی تعمیل کی جاوے گی۔ ایک نقل اِس حکم کی ٹھاکر دوارہ کے اندر اور ایک نقل باہر ٹھاکر دوارہ مٹا حلوائی کے بھی لگا دی جاوے *

(دستخط بخط انگریزی)

حاکم تحصیل صاحب بہادر موہن لال گنج

نقل حکم دفعہ ۱۴۴ ضابطہ فوجداری

مورخہ ۱۵ ستمبر سنہ ۱۹۲۲ء

چہلم قصبہ اندیشہ

چونکہ تحقیقات سے یہ معلوم ہوا ہے کہ سوائے اُس جلوس تعزیه سلطان ساکن محلہ ملک زادہ کے کوئی آؤر تعزیه باجا اور جاوس کے ساتھ بازار میں ہو کہ ۱۵ ستمبر سنہ ۱۹۲۲ء کو چہلم سے ایک روز قبل نہیں گذرتا ہے۔ لہذا — حکم ہوا کہ

دیگر تعزیه داران کو اطلاع دی جاوے کہ خاموشی کے ساتھ اپنے تعزیه اپنے گھروں کو ۶½ بجے شام سے قبل لیکر پہنچ جائیں ورنہ اُن کو ۸ بجے سے قبل بازار سے گذرنے اور اپنے چبوتروں پر لے جا کر رکھنے کی بلا باجوں کے بھی اجازت نہ ہوگی۔ اگر کوئی شخص ۶½ بجے شام سے قبل اپنے چبوتروں پر تعزیه نہ رکھے سکیگا تو اُس کو بعد ۸ بجے کے تعزیه رکھنے کی اجازت نہ ہوگی۔ حکم ہوا کی اطلاع تعزیه داران مندرجہ ذیل سے فہرست کو دی جاوے *

(دستخط بخط انگریزی)

۱۵ ستمبر سنہ ۱۹۲۲ء

نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری متعلق چہلم قصبہ

گوشائیں گنج ضلع لکھنؤ بابت سنہ ۱۹۲۴ء

چہلم قصبہ گوشائیں گنج

چونکہ باہم اعلیٰ اسلام و ہندو جاوس چہلم میں اندیشہ ہے کہ کسی چھوٹی سی بات پر نقص امن واقع نہ ہو جائے جس کا نتیجہ ہلچل ہو لہذا حسب ذیل احکام جاری کیئے جاتے ہیں —

(۱) ممانعت کی جاتی ہے کہ لٹھی - دندا - بھونکنے یا کاٹنے کا ہتھیار یا کسی آؤر تسم کا ہتھیار یا آتش بار ہتھیار مثل بندوق یا پستول وغیرہ اندر قصبہ گوشائیں گنج کے اس حکم کی مشتمل کی تاریخ سے طلوع آفتاب ۲۰ ستمبر سنہ ۱۹۲۳ء تک نہ لایا جائیگا *

(۲) یہ بھی ممانعت کی جاتی ہے کہ کوئی امر خلاف حکم صاحب سپرنٹنڈنٹ بہادر پولیس حسب دفعہ ۳۰ ایکٹ ۵ سنہ ۱۸۶۱ء جس کی مشتمل ہو چکی ہے نہ کیا جائیگا *

(۳) یہ بھی ممانعت کی جاتی ہے کہ بوجا نہ کی جائیگی اور نہ سڑک پر دیگر قسم کا باجا جو مثل سڑک کے بھٹا ہو یا کوئی آؤر باجا اُس وقت میں جبکہ چہلم کا جاوس گذر رہا ہو نہ بھایا جائیگا - بہ استثناء بھوک جو بغیر باجا کے ۱۹ ستمبر سنہ ۱۹۲۲ء کو ایک بجے دن کے بعد جبکہ تعزیه چہلم اُس مسجد پر پہنچ جائیگا جو بازار کے آخری پتھر کے سرے پر ہے *

(۴) یہ بھی ممانعت کی جاتی ہے کہ اس وقت سے ۲۰ ستمبر سنہ ۱۹۲۳ء کے طالع آفتاب کے قبل ہندوؤں کی پوجا اس حکم کے نافذ ہونے کے بعد مندروں میں بجز اوقات ذیل کے آڈر کسی وقت نہ کی جائیگی جیسا کہ خود اُن کے بیانات سے ظاہر ہوا ہے —

(الف) پوجا ہر ایک مندر میں مع ہر قسم کے باجوں کے بشمول سنکھ وغیرہ ۷ بجے سے ۸ بجے شام تک ۱۸ ستمبر کو —

(ب) پوجا ہر ایک مندر میں مع حملہ اتسام کے باجوں کے بشمول سنکھ وغیرہ ۷ بجے سے ۸ بجے صبح تک ۱۹ ستمبر —

(ج) بھوک مندروں میں بغیر کسی قسم کے باجوں کے بشمول سنکھ وغیرہ کے بعد جلوس تعزیه چہلم کے انتہائی پچھم والی مسجد تک پہنچ جانے کے بعد ۱۹ ستمبر سنہ ۱۹۲۳ء بعد ایک بجے دن کے —

(د) پوجا ہر ایک مندر میں مع کل باجوں کے بشمول سنکھ وغیرہ کے درمیان ۷ — ۸ بجے شام ۱۹ ستمبر کو حسب معمول قدیم *

(۵) یہ بھی ممانعت کی جاتی ہے کہ کوئی جلوس اہل اسلام ۱۸ ستمبر سنہ ۱۹۲۳ء کو یا شب دومیانی ۱۸ - ۱۹ ستمبر سنہ ۱۹۲۳ء کو ہرگز نہ نکالینگے۔ وہ صرف اپنے تعزیه خاموشی کے ساتھ لاکھ اپنے چوک پر رکھ سکتے ہیں ۹ بجے رات کے وقت مکر اُس سے قبل نہیں *

(۶) یہ بھی ممانعت کی جاتی ہے کہ کسی قسم کا کوئی ماتم اور کسی قسم کا کوئی باجا اہل اسلام اپنے چہلم کے جلوس میں مندروں کے مقابل پہنچ کر نہ کرینگے اور نہ بجائینگے۔ باجا اور ماتم جبکہ وہ کسی مندر کے مقابل پہنچیں گے اُس وقت کے لئے روک لیا جاوے گا جب تک کہ وہ مندر کے مقابل سے جلوس گذر نہ جاوے *

(۷) یہ بھی ممانعت کی جاتی ہے کہ کوئی درکان کباب (گوشت بھوننے کی) راستہ جلوس چہلم میں نہ رکھی جائیگی۔ یہ حکم حسب دفعہ ۱۲۴ ضابطہ فوجداری دیا جاتا ہے اور راجب التعمیل ہوگا۔ بنیان جلوس پر اور مالکان مندر پر اور نیز اُن لوگوں پر — جو مندروں میں آتے جاتے ہیں — ایک ایک نقل اس کی بعد اطلاع دہی مالکان مندر مندروں کے نمایاں مقامات پر جو کہ سب سے بہتر اُن کا دروازہ ہوگا لکھا دی جاوے گی۔ بعد اطلاع دہی مالکان مندر کے اور حاصل کرنے اُن کی دستخط کے اور ایک ایک نقل اس کی مسجدوں کے دروازوں پر چسپاں کر دی جاوے *

(دستخط بخط انگریزی)

حاکم پرگنہ قصبہ گوشائیں گنج

۱۸ ستمبر سنہ ۱۹۲۳ء

نقل نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری

دسمبر امیتھی سنہ ۱۹۲۲ء تھانہ گوشائیں گنج ضلع لکھنؤ

چونکہ پولیس رپورٹ سے ہم کو معلوم ہوا ہے کہ ہندو مسلمانوں کے دلوں میں اب تک صفائی نہیں ہے اور آج سے دسمبر شروع ہوا ہے جس کا جلوس مطابق اُس اشتہار کے جو منجانب پولیس حسب دفعہ ۳۰ پولیس ایکٹ نکلیگا جس میں مجمع کثیر ہوگا اور اندیشہ نقض امن کا ہے *

اور یہ بھی ہم کو اطلاع ملی ہے کہ دولاڑے لوہار کوئی جلوس کھڑے کے محلہ سے نکالنا چاہتا ہے جو کبھی نہیں نکلا ہے اور جس کی وجہ سے بھی اندیشہ نقض امن کا ہے - لہذا

حکم ہوا کہ

کوئی شخص کسی قسم کا ہتھیار یا لٹھی کسی جگہ قصبہ امیتھی میں اور جلوس رام لیلا میں سڑکوں پر و نیز رام باغ میں کسی شکل یا کسی حالت میں اُس وقت سے طلوع آفتاب ۱۰ اکتوبر سنہ ۱۹۲۲ء تک لیکر نہ نکلیگا *

اور یہ بھی ممانعت کی جاتی ہے کہ کوئی آؤر جلوس کسی آؤر جگہ سے کسی آؤر جگہ کو نہ بنایا جاویگا اور نہ نکالا جاویگا - عز اُس کے جس کا اعلان حسب دفعہ ۳۰ پولیس ایکٹ منجانب پولیس کر دیا گیا ہے - یہ حکم حسب دفعہ ۱۴۴ ضابطہ فوجداری دیا جاتا ہے اور اُس کا نفاذ فوراً ہوگا اور ۱۰ اکتوبر سنہ ۱۹۲۲ء تک نافذ رہیگا *

(دستخط بخط انگریزی)

حاکم برگزیدہ صاحب بہادر موہن لال گنج ضلع لکھنؤ

۵ اکتوبر سنہ ۱۹۲۲ء

نقل حکم صیغہ فوجداری مشعر امتناع مزاحمت یا بلوہ وغیرہ

حسب دفعہ ۱۴۴ ضابطہ فوجداری بابت رام لیلا قصبہ گوشائیں گنج - سنہ ۱۹۲۲ء

اطلاع بنام عام

چونکہ رپورٹ پولیس سے ہم کو معلوم ہوا ہے کہ تعلقات مابین ہندو و مسلمان قصبہ گوشائیں گنج ابھی تک قابل اطمینان نہیں ہے اور اگر قرب و جوار کے موضوعات سے مجمع قصبہ کے اندر لٹھی یا دیگر اسلحہ لیکر آویگا تو اندیشہ نقض امن کا ہے لہذا اِس تصریح کی رو سے ہم ممانعت کرتے ہیں کہ اس وقت سے ۱۵ اکتوبر سنہ ۱۹۲۲ء کے طلوع آفتاب تک کوئی شخص لٹھی یا دیگر اسلحہ کالنے یا پونکے کا یا آتش فشاں گوشائیں گنج کے قصبہ میں نا رام لیلا کے جلوس میں اندر یا باہر لیکر نہ نکلے *

(دستخط بخط انگریزی)

حاکم تحصیل موہن لال گنج

مورخہ ۹ اکتوبر سنہ ۱۹۲۲ء

نوٹس دفعہ ۱۴۴ صابطہ فوجداری

مورخہ ۲۱ اگست سنہ ۱۹۲۳ء

جنم استمی قصبہ امیتھی

مجھے کو بعض ذرائع پولیس گوشائیں گنج سے اطلاع ملی ہی کہ تم منال لال حلوائی مالک ٹھاکہ دربارہ قصبہ امیتھی - بیجڑاتھ چھازان بھائی - چانکی پرشاد واد بجلال نغم - خوشی رام ولد سر جو پرشاد گایستہ و دیہی دیال ولد پنجم گلوار - مہادی پرشاد واد رگوب دیال بھمن - ہنس لال ولد کسرن ہمن اور بہت سے اشخاص ہندو مذہب کے یہہ خیال کیا ہی کہ تم لوگ قصبہ امیتھی کے اندر سنکھہ بجاؤ گے جس کی بابت یہہ معلوم ہوا ہی کہ ہر موقع پر سابق میں روکا گیا ہی جیسا کہ کاغذات سابقہ سے جو کہ میرے قبضہ میں ہیں ظاہر ہوتا ہی لہذا میں مندرجہ بالا اشخاص کو اور پبلک کو عام طور پر ممانعت کرتا ہوں کہ قصبہ امیتھی میں کسی جگہ یہ سنکھہ نہ بجایا جاوے سوائے شہزاد پور و رام باغ کے جہاں ممانعت نہیں ہی اور وہ بھی مسلمانوں کے نماز کے وقت نہ ہونا چاہیئے - یہہ حکم حسب دفعہ ۱۴۴ صابطہ فوجداری نافذ کیا جاتا ہی اور ۳۰ اگست سنہ ۱۹۲۳ء تک اس کا عملدرآمد ہوگا - ایک ایک نقل اس حکم کی مندرجہ بالا ہر اشخاص کو دی جاوے اور پوجاری ٹھاکہ دربارہ منال لال و چنکی پرشاد کو بھی دی جاوے اور تخمیناً ۲۰ نقلیں قصبہ امیتھی میں نمایاں اور شارع عام مقامات پر چسپاں کی جاویں بنانہ اطلاع دینی ہندو اور مسلمانوں کے *

(دستخط بخط انگریزی) ممنون الحسن خان صاحب بہادر

دہتی مجسٹریٹ

نقل نوٹس حسب دفعہ ۱۴۴ صابطہ فوجداری

جنم استمی قصبہ گوشائیں گنج

ہرگاہ مجھے کو معتبر ذرائع پولیس گوشائیں گنج سے معلوم ہوا کہ قصبہ گوشائیں گنج اُس سڑک پر جو لکھنؤ سے امیتھی کو جاتی ہی واقع ہی اور امیتھی سے قریب ہی جہاں ہندو مسلمانوں میں سخت دشمنی ہی اور لوگوں کو لڑائی اور ہتھیاروں کے ساتھ آنے کی اجازت دینا یا تین آدمیوں سے زیادہ کے گروہ میں جانے دینا اندیشہ نقض امن کا ہی لہذا میں ممانعت کرتا ہوں کہ کوئی شخص ہتھیار یا آذر کسی قسم کے ہتھیار سے مسلح ہو کر درمیان غروب آفتاب مورخہ ۲۲ اگست سنہ ۱۹۲۳ء سے غروب آفتاب ۲۳ اگست سنہ ۱۹۲۳ء تک نہیں جائیگا - یہہ بھی ممانعت کرتا ہوں کہ کوئی قصبہ کے اندر (گوشائیں گنج) ۳ آدمیوں سے زیادہ تعداد کے گروہ میں نہیں جائیگا - ۲۲ اگست سنہ ۱۹۲۳ء کے غروب آفتاب سے ۲۳ اگست سنہ ۱۹۲۳ء کے غروب آفتاب تک درمیان غروب آفتاب و طلوع آفتاب ہر شب تک یہہ حکم حسب دفعہ ۱۴۴ صابطہ فوجداری جاری کیا جاتا ہی اور

دس نقلیں اس حکم کی نمایاں اور شارع عام مقامات پر قصبہ گوشائیں گنچ میں
عام پبلک کی اطلاعیہ کے واسطے چسپاں کی جارہیں *

(دستخط بخط انگریزی)

حاکم تحصیل موہن لال گنچ - لکھنؤ

مورخہ ۲۲ اگست سنہ ۱۹۲۷ ع

Notice under section 144, Criminal Procedure Code, dated July 7, 1927.

Whereas I have come to know from the report of police station Bewar that dispute over the Muharram exists between Hindus and Muhammadans of Allahabads, hence to prevent a breach of the peace notice under section 144, Criminal Procedure Code, is issued prohibiting the public from taking any gun, sword, lathi, spear and *bhala* in the procession from July 7 to 13, 1927 and from picking any quarrel. Disobedience of this order is liable to prosecution. The paraphernalia of *akharas* such as *pata*, *bichua*, sword, *baneti*, *bana*, etc., etc., are exempted. A list of such appertainings will have to be furnished to the station officer concerned, who will examine them. None who is intoxicated will be allowed to join the procession.

Given under my hand and the seal of the Court this 7th day of July, 1927.

(Sd.) B. R. YADAV,

Sub-Divisional Magistrate.

BHONGAON :

November 16, 1927.

Notice under section 144 to the Hindus and Muhammadans of Bhongaon Town, Ashra Muharram of 1927, dated July 1, 1927.

Whereas the police report of Thanadar, Bhongaon, shows that there existed a dispute last year among the Hindus and Muhammadans on the occasion of Muharram and Ramlila which led to the execution of agreements and fixing of times for the Ashra. Hence this year, too, agreements are executed and times fixed for Ashra. As a precautionary measure to keep the peace notice is hereby issued and the public are directed that with effect from July 1, 1927 to July 15, 1927 nobody is permitted to go armed with any arms such as gun, sword, spear, lathi and *bhala* in the procession. *Pata*, *bichua*, sword, *baneti*, *bana*, etc., appertaining to *akhara* are exempt, a list of which will be furnished to the sub-inspector who will check it. None who is intoxicated will be allowed to join the procession.

Given under my hand and the seal of the Court this 1st day of July, 1927.

(Sd.) B. R. YADAV,

Sub-Divisional Magistrate.

BHONGAON, MAINPURI :

November 15, 1927.

Notice under section 144, Criminal Procedure Code, dated July 1, 1927.

Whereas police report from thanadar, Bhongaon, shows that in village Alikhera parties have executed and filed agreements to keep the peace during Ashra Muharram, undertaking that there will be no breach of the peace, hence it is ordered under section 144, Criminal Procedure Code, for Muharram Ashra, that both the parties will abide by the agreement. The public are also enjoined and are prohibited from going armed with gun, sword, spear or *bhala* in the procession and that there will be no dispute. Disobedience of this order and the agreement is liable to prosecution. The paraphernalias of *akharas* such as *pata*, *bichua*, sword, *baneta*, etc., are exempt; a list of these will be supplied to the sub-inspector, who will check them. None who is intoxicated will be allowed to join the procession.

Given under my hand and the seal of the Court this 1st day of July, 1927.

(Sd.) B. R. YADAV,

Sub-Divisional Magistrate.

BHONGAON:

November 16, 1927.

Notice under section 144, dated August 15, 1927.

Whereas I have come to know that on the day of Chehlum there exists a dispute among Hindus and Muhammadans of mauza Alipur Khara and there is a dispute on the lighting lamps at the Debi temple whereby the tazias pass and Muhammadans want to take back the Daig of Khichhar from Karhala by the route by which the tazias pass, hence both the communities are hereby given to understand and order is hereby issued for a period continuing from August 18 to 27, 1927 that lamps will be lighted on the temple of Bhawan only and the Daig will be taken back by the way fixed for the last and previous year, and that the route fixed for the purpose is by the Dara of the fields. None will pick up a quarrel in the procession, nor any party is allowed to discuss on any point. Disobedience of any of the above orders will be promptly brought to the notice of the tahsildar and sub-inspector, Bhongaon, who will be on the spot and they will take necessary action. The tazias will pass the temple situated in the *abadi* of Sonars by 7 in the morning. Arti will be done after the tazias have passed away. Anybody residing in Ali Khara or the suburb who disobeys this order will be liable to prosecution under section 188, Indian Penal Code Taking of *lathi*, spear, sword, and gun in the procession is prohibited. *Patas*, etc., appertaining to *akharas* are exempt; a list of them should be furnished to the sub-inspector, who will check them and see that there is nothing else in the *akhara*.

Given under my hand and the seal of the Court this 15th day of August, 1927.

(Sd.) B. R. YADAV,

Sub-Divisional Magistrate.

BHONGAON, MAINPURI:

November 16, 1927.

Notice under section 144, Criminal Procedure Code, Ramlila of 1927 at Bhongaon Town.

As I have come to know from police report Bhongaon police station that in the town of Bhongaon feelings of Hindu and Muhammadan community are strained over religious ceremonies and this year no agreement has been executed by the parties and the Ramlila fair will commence from September 21, 1927 and end on October 9, 1927, hence notice under section 144, Criminal Procedure Code, is issued from September 21 to October 15, 1927, and it will be binding on the main respectable people of the Bhongaon town who take much interest as well as on the people inhabiting the Bhongaon town and the surrounding villages who take part in them, also on Pandit Chiranji Lal, Manager, Ramlila, and Ali Muhammad Khan, P'athan, Manager, Muharram; in case of failure to comply with this notice they will be liable to prosecution under section 148, Indian Penal Code.

(1) Ramlila procession will start at 12 noon and end 12 in the mid-night. The procession will proceed from the Somesharnath temple and passing through the bazar will reach the Ramlila maidan and after making a round and performance of the ceremonies will return to its destination. *Akhara* will also accompany the procession.

(2) The marriage procession of Sri Ram Chanderji starting from the Somesharnath temple will go to the Ram Chanderji temple and thence passing through the town and the bazar will go to the Ramlila maidan with this procession singing, *baja* and *akhara*. It will start from the Mahaleo temple and will reach the Ramchandra temple, and starting thence will reach the Ramlila maidan at 2 p.m. If any procession will be near the Pakar Lala mosque, then the procession will be at a distance of 50 paces east or west of the mosque and likewise to the Juma masjid also, and in the last 3 days the Biwan goes from Ramlila to Mandir Ram Chanderji and the time of *nimaz asha* in the mosque is from 8 p.m. to 9 p.m. The Biwan procession will not reach the Juma masjid before 9 p.m. After 9 p.m. after stopping as usual will pass onward and will go to the temple of Ram Chanderji through the bazar.

(3) Rajgaddi will be held at the place where it is hitherto held.

(4) As to the respect of the Biwan it is ordered that anybody may or may not get from the chabutra of his shop, may sit at charpoy or his shop, but no one is allowed to sit or lie down on the patri sarak (road patri).

(5) No one will quarrel at or near the procession, nor anybody is allowed to join if he is intoxicated.

(6) The manager of the procession has given detail of the *akhara* requisites; nothing more be allowed.

(7) The *akhara* requisites are exempt. Nobody is allowed to take *lathi*, sword or spear or gun with him in the procession.

(8) There will be no discussion (*bahas mubahasa*) between Hindus and Musalmans at the time of passing the procession.

(9) If anybody has anything to say he should go either to the tahsildar or the sub-inspector. The sub-inspector and tahsildar will first examine the *akhara* requisite to see that there is nothing in excess of

what is allowed and will see that this order is strictly followed. The map of the route is in the police station; they are also given in the application as well. The route fixed will remain unchanged.

Given under my hand and the seal of this office this 21st day of September, 1927.

(Sd.) B. R. YADAV,

BHONGAON, MAINPURI:

Sub-Divisional Magistrate.

November 16, 1927.

Order under section 144, Criminal Procedure Code.

Whereas the communal ill-feelings are prevailing in the country, Muharram processions are likely to lead to any disturbance and may cause a riot at Makhanpur and other places in police circle Shikohabad, I do hereby order the Muharram processionists to take out the processions according to the past precedence (Shudamat Qadim) along the routes and the timings embodied in the attached daily programme of events and that it should be adhered to strictly.

I also do hereby prohibit the carrying of all kinds of arms including *lathis*, excepting ordinary and small walking sticks, by all persons in the procession during the Muharram days. The *akharawalas* are, however, allowed the use of swords, *patas* and other arms like these for actual display with the processions in accordance with the old custom and practice.

Given under my hand and the seal of the Court this 1st day of July, 1927.

(Sd.) JWALA PRASAD,

Sub-Divisional Magistrate, Shikohabad.

MAINPURI MAGISTRACY:

November 15, 1927.

Whereas the relations between Hindus and Muhammadans are strained and the Dasherah procession will pass through the public road in Karhal followed by music and there is apprehension of breach of peace, I hereby order the processionists to stick to the programme of past years attached herewith.

I prohibit the carrying of any arms including *lathi* and spear, excepting those which remain with the Biwan of Ramlila for ornaments.

Anyone who will disobey the above order will be liable to prosecution under section 188 of Indian Penal Code.

Given under my hand and the seal of the Court this 25th day of September, 1927.

MAINPURI MAGISTRACY:

(Sd.) JWALA PRASAD,

November 15, 1927.

Sub-Divisional Magistrate, Karhal.

Whereas there is apprehension of breach of peace between Hindus and Muhammadans on account of strained relations between them on the occasion of Janam Ashtami on August 20, 1927 and Dadkandho on August 21, 1927 in Shikohabad, I hereby order that the following programme according to past years will be adhered to :—

I prohibit the carrying of any arms, gun, swords, spear or *lathi* in the Dadkandho procession except by Government servants on duty.

Anyone who will act against the above order will be liable to prosecution under section 188 of Indian Penal Code.

Given under my hand and the seal of the Court this 20th day of August, 1927.

MAINPURI:
November 15, 1927.

(Sd.) JWALA PRASAD,
Sub-Divisional Magistrate, I class.

Whereas the communal ill-feelings are prevailing in the country and the Muharram processions are likely to lead to any disturbance and may cause a riot at Karhal Town, Dalelnagar and Deheoli and other places in police circle Karhal, I do hereby order the Muharram processionists to take out the processions according to the past precedence (Shudamat Qadim) along the routes and the timings embodied in the attached daily programme of events and that it should be adhered to strictly.

I also do hereby prohibit the carrying of all kinds of arms including *lathis*, excepting ordinary and small walking sticks, by all persons in the procession during the Muharram days. The *akharawals* are, however, allowed the use of swords, *patas* and other arms like these for actual display with the processions in accordance with the past precedence.

Given under my hand and the seal of the Court this 1st day of July, 1927.

MAINPURI MAGISTRACY:
November 15, 1927.

(Sd.) JWALA PRASAD,
Sub-Divisional Magistrate,
Karhal and Shikohabad.

Whereas I have come to know from the report of the police thana Bewar that disputes exist over the Muharram between the Hindus and the Muhammadans, to prevent a breach of peace notice under section 144, Criminal Procedure Code, is issued prohibiting the public from taking any gun, sword, *lathi*, spear and *bhala* in the procession and picking quarrel. Disobedience of the order is liable to prosecution. The paraphernalias of *akharas* such as *pata*, *bichua*, sword, *baneti*, etc., are exempted. A list of such appertainings will have to be furnished to the station officer concerned, who will examine them. None who is intoxicated will be allowed to join the procession.

Given under my hand and seal of the Court this 7th day of July, 1927.

BHONGAON:
November 16, 1927.

(Sd.) B. R. YADAV,
Sub-Divisional Magistrate.

Order under section 144, Criminal Procedure Code.

Whereas ill-feelings exist between Sunnis and Shias at Shikohabad and between Hindus and Muhammadans in the country, Muharram processions are likely to lead to any disturbance and may cause a riot at Shikohabad, I do hereby order the Muharram processionists to take out the processions according to the past precedence (Shadamat Qadim) along the routes and timings embodied in the attached daily programme of events and that it should be adhered to strictly.

I also do hereby prohibit the carrying of all kinds of arms including *lathis*, excepting ordinary and small sticks, by all persons in the procession during the Muharram days at Shikohabad. The *akhara-walas* are, however, allowed the use of swords, *padas* and other arms like these for actual display with the procession in accordance with the previous customs.

Given under my hand and the seal of the Court this 1st day of July, 1927.

MAINPURI MAGISTRACY :

November 15, 1927.

(Sd.) JWALA PRASAD,

Sub-Divisional Magistrate,
Shikohabad.

No. 2.

Case about the management of Muharram and Chehlum.

From the report of the police, Mainpuri, it is found that Chehlum will be celebrated on August 18 and 19, 1927, and whereas Janam Ashtami festivals will begin in night of August 19, 1927, and whereas it is expedient that both the communities should enjoy their full rites and ceremonies connected with the two functions without hindrance or interference, and in order to safeguard against public tranquillity I, Mir Ali Raza, Sub-Divisional Magistrate, Mainpuri and Jasrana, do hereby order the Musalmans and Hindus of Mainpuri and the public at large that the following timings shall be observed in connexion with Chehlum and Janam Ashtami festivals in Mainpuri as was done last year :—

1. Chehlum procession must reach the Karbala through the prescribed routes by 7-30 p.m. at the latest.

2. Janam Ashtami festivals will begin after 8 p.m.

I do, therefore, hereby order, under section 144, Criminal Procedure Code, that any party or person contravening the above order shall be liable to be dealt with under the law. The police and the public shall be informed at once through beat of drums and the police shall inform the managers of the Chehlum procession and the managers of the temples, etc., particularly and obtain their signatures.

Given under my hand and seal of the Court this 15th day of August, 1927.

(Sd.) MIR ALI RAZA,

Sub-Divisional Magistrate.

MAINPURI :

August 15, 1927.

No. 2.

*Case about the management of Muharrum and Chehlum.**Notice under section 144, Criminal Procedure Code.*

From the report of the City Kotwal and from the events that occurred before me today in the morning at the time of the passing of tazias, there appear sufficient reasons to believe that the relations between the Hindus and Musalmans of Mainpuri City are strained and that the mischief-mongers on either side are bent on creating trouble. It is, therefore, necessary in view of public peace and tranquillity that additional orders under section 144, Criminal Procedure Code, be promulgated at once. It is therefore hereby ordered that no person or persons that may join the tazia procession or the Dharpuja procession of Raja Sahib of Mainpuri or within a furlong of the said processions shall be armed with any arms like sword, gun, spear, pistol, *lathi*, etc., or any other sort of stick, etc., except the following :—

- (1) Twelve sepoys armed with swords and guns and a chobdar will accompany the procession of Raja Sahib.
- (2) The necessary accessories of *akharas* like *pata*, stick, *banoti*, and *besakhs* that may be necessary for carrying the tazias.
- (3) District officials and police or the tahsil peons on duty.

Orders to issue at once. City Kotwal to comply by proclaiming the order throughout the city and by making it known to the public that any person breaking these orders shall be dealt with under the law. City Kotwal and other officers in charge of the procession shall take into their possession and forfeit any arms or sticks that may be found in the possession of any person in contravention of the above orders.

A copy of this order shall be sent to the Raja Sahib of Mainpuri and a copy to the Superintendent of Police and another to Babu Jwala Pershad Sahib. And if necessary copies of this order shall be affixed at public places like chaurahas, city police station gate, tahsil gate, Chauki Ganesh Burj, free school, municipal office and at a few places in Purani Mainpuri.

These orders shall also be proclaimed by beat of drum.

These orders shall remain in force for a week only.

Given under my hand and seal of the Court this 11th day of July, 1927.

(Sd.) MIR ALI RAZA,
Sub-Divisional Magistrate,
Mainpuri.

July 11, 1927.

 No. 2.
Case about the management of Muharram and Chehlum.

The station officer, Kuraoli, has submitted a copy of the established programme routes, etc.

I hereby make an order under section 144, Criminal Procedure Code, that the same shall be strictly adhered to by the parties concerned and public at large, and that the police shall see that no deviation is made from the same.

Given under my hand and seal of the Court this 4th day of July, 1927.

(Sd.) MIR ALI RAZA,
Magistrate, 1st class.

July 4, 1927.

No. 2.

Case regarding the management of Ramlila fair, tahsil Mainpuri.

Whereas from the report of the tahsildar above, who has been put in charge of Kuraoli Dasehra arrangements by me, it appears that disturbances might occur on the spot and at the spur of the moment during Dasehra festivities at Kuraoli, it is desirable and expedient in the interest of public tranquillity and the peaceful celebrations of the Dasehra festivities that orders under section 144, Criminal Procedure Code, should be promulgated in Kuraoli from September 22, 1927 up to October 15, 1927, I therefore hereby order that the various ceremonies and processions in connexion with Dasehra at Kuraoli shall be observed at the appointed times and through the prescribed routes as in the past and that nobody shall interfere or object to the due performance of the same, and that no person or persons shall be allowed to go armed with *lathis*, spears, swords, guns and other arms and ammunition in the procession or on Ramlila ground, except such things as are expressly permitted by the magistrate in charge of the Kuraoli affairs and the sub-inspector in charge Kuraoli thana and which form part of *akhara* or other necessary rites of the function.

Given under my hand and seal of the Court this 21st day of September, 1927.

(Sd.) MIR ALI RAZA,
Sub-Divisional Magistrate.

September 21, 1927.

Whereas there is apprehension of breach of peace between the Hindus and Muhammadans on account of strained relations between them on the occasion of the *Chehlum* in Shikohabad on August 18 and 19, 1927, I hereby order the *taziadars* to stick to the programme like past years (programme attached).

I also prohibit the carrying of all kinds of arms, e.g., gun., sword, spear, *lathi*, etc., excepting *gadkas* and *pharis*, etc., by the *akharas*.

Any one disobeying the above order will be liable under section 188 of Indian Penal Code.

Given under my hand and the seal of the Court this 16th day of August, 1927.

(Sd.) JWALA PRASAD
*Sub-Divisional Magistrate,
I class, Shikohabad.*

MAINPURI :
November 15, 1927.

Notice issued under Section 30, Act V of 1861.

GENERAL NOTICE.

To the public of Moradabad.

UNDER section 30 (2) Whereas I am satisfied that on the occasion of the Nagpanchmi or Lines ki Charrian festival, at the beginning of August, 1927, it is the intention of certain persons to form processions on the public streets of Moradabad city, which processions would, in the judgement of the Magistrate of the District, if uncontrolled be likely to lead to a breach of the peace, therefore general notice is hereby given that any persons intending to form such processions should apply to me for a licence.

Under section 30 (4). On the occasion of the abovementioned festival, no music of any sort connected with the festival will be allowed on the public streets of Moradabad.

The attention of all is drawn to the provisions of section 30, Act V of 1861, which lays down the penalties for infringement or violation of notices issued under section 30, Act V of 1861.

MORADABAD:

P. H. J. MEASURES,

July 28, 1927.

Superintendent of Police.

نوٹس حسب دفعہ ۳۰ ایکٹ ۵ سنہ ۱۸۶۱ء

إطالع عام ہوائے پبلک مرادآباد

بموجب دفعہ ۳۰ ضمن ۲ — چونکہ ہم کو معلوم ہوا ہے کہ ناگ پنچمی یا لین کی چہڑیاں کے موقع پر جو کہ اگست کے شروع میں ہوتی ہیں چند اشخاص کا ارادہ ہے کہ شہر مرادآباد کی عام سڑکوں پر جلوس نکالا جاوے جس سے صاحب مجسٹریٹ بہادر ضلع کی تجویز ہے کہ اگر اُس کی روک تھام نہ کی جاوے تو نقص امن کا اندیشہ ہوگا اس لیے بذریعہ اطلاع عام مشتہر کیا جاتا ہے کہ ہر شخص جو ایسا جلوس نکالنا چاہے وہ اینجانب میں درخواست واطاعے لیسنس پیش کرے •

بموجب دفعہ ۳۰ ضمن ۳ — مذکورہ بالا تہوار کے موقع پر کسی قسم کے گانے بجانے (متعلق تہوار) کی اجازت سڑک عام مرادآباد پر نہیں دی جاوے گی •

تمام پبلک کی توجہ دفعہ ۳۲ ایکٹ ۵ سنہ ۱۸۶۱ء پر دلائی جاتی ہے جس میں کہ نوٹس بموجب دفعہ ۳۰ ایکٹ ۵ سنہ ۱۸۶۱ء کے عدم تعمیل کی سزا کا ذکر ہے •

روہکار اجلاس جناب مسٹر اے پی کالت صاحب بہادر مجسٹریٹ ضلع مراد آباد

حسب دفعہ ۱۴۴ ضابطہ فوجداری

(انتظام عشرہ مشرق قصبہ ڈرہیال بابت سنہ ۱۹۲۷ء)

بنام حملہ باشندگان موضع ڈرہیال و خصوصاً اشخاص جو عشرہ میں آویں

ہر گاہ اینجنائب کو معلوم ہوا ہی کہ اہل ہند و اہل اسلام قصبہ ڈرہیال کے درمیان میں نزاع ہی اور زمانہ عشرہ مشرق قصبہ ڈرہیال میں جو یکم جولائی سنہ ۱۹۲۷ء سے (یا جیسی صورت ہو) شروع ہوگا لہذا اینجنائب حسب سالہائے گذشتہ و پیوستہ حسب دفعہ ۱۴۴ ضابطہ فوجداری حکم دیتے ہیں کہ تمام باشندگان قصبہ ڈرہیال و نیز وہ اشخاص جو اس زمانہ میں قصبہ ڈرہیال میں آویں حسب ذیل امور سے باز رہیں - یعنی -

(۱) قصبہ ڈرہیال میں ۷ لغایت ۱۰ مشرق مطابق ۷ جولائی لغایت ۱۱ جولائی سنہ ۱۹۲۷ء (یا جیسی صورت ہو) سنبھلے یا ڈھول نہ بجائیں -

(۲) قصبہ ڈرہیال میں سوائے اُن جلوس اہل اسلام مشرق کے کہ جس کی بابت سالہائے گذشتہ میں اجازت ہو چکی ہو اور جلوس گانے بجانے ۷ آدمیوں سے زیادہ ۷، ۸، ۹ و ۱۰ مشرق مذکورہ بالا پر نکالنے سے باز رہیں -

(۳) مکانات عام باشندگان کے اندر بلا حصول اجازت خاص صاحب مجسٹریٹ بہادر ضلع کے گانے بجانے سے باز رہیں - بصورت خلاف درزی احکامات مندرجہ بالا حسب دفعہ ۱۸۸ تعزیرات ہند علاوہ اس جرم کے جس کے کہ وہ مرتکب ہوں مستوجب سزا ہونگے *

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المعرقوم ۲۸ جون سنہ ۱۹۲۷ء

روہکار اجلاس جناب مسٹر اے پی کالت صاحب بہادر آئی سی ایس
مجسٹریٹ و کلکٹر ضلع مراد آباد واقع ۲۴ ستمبر سنہ ۱۹۲۷ء

رام لیلا سنبھل

ہر گاہ ایام رام لیلا قریب ہیں اور اگر اس کے متعلق انتظام مناسب نہ ہوگا تو لکھنؤ امن کا اندیشہ ہی اور میری رائے میں فوری کارروائی کرنے کی ضرورت ہی لہذا احکامات زیر دفعہ ۱۴۴ ضابطہ فوجداری متعلق رام لیلا سنہ ۱۹۲۷ء قصبہ سنبھل جس میں حیات نگر بھی شامل ہے بابت سنہ ۱۹۲۷ء بنام حملہ

باشندگان سنہیل و اطراف و نیز آئیندگان و روندگان صادر کیئے جاتے ہیں تاکہ کوئی نقص امن کا اندیشہ نہ رہے اور کوئی شخص احکام ذیل کی خلاف ورزی نہ کرے ۔

(۱) جناب ٹھاکر مہندر سنگھ صاحب بہادر سب ڈویژنل مجسٹریٹ مہتمم انتظام مقرر کیئے جاتے ہیں اور وہ مجاز ہونگے کہ جن امور کی بابت ذیل میں احکام صادر نہیں ہوئے ہیں اُن کی بابت حکم دیں ۔ اُن کے احکام کی سختی سے پابندی کی جاوے گی ۔ وہ ایک فہرست جلوس رام لیلا اور اُس کی اوقات کی مرتب کرا لیں *

(۲) مقررہ راستوں - اوقات اور طریقوں کی سختی سے پابندی کی جاوے گی ۔ قہتی مجسٹریٹ صاحب بہادر ایک اقرارنامہ میمبران رام لیلا کمیٹی سے جو اُس کے مہتمم ہیں لینگے ۔ اقرار نامہ میں وہ مقرران اِس بات کی اپنی ذمہ داری تسلیم کریں گے کہ وہ مقررہ راستوں - اوقات اور طریقوں کے پابند ہیں *

(۳) سنہیل خاص میں ۲۶ ستمبر سنہ ۱۹۲۷ء - حیات نگر میں ۲۷ ستمبر سنہ ۱۹۲۷ء کو رسومات رام لیلا شروع ہونگی اور سنہیل خاص میں ۸ اکتوبر سنہ ۱۹۲۷ء اور حیات نگر میں ۹ اکتوبر سنہ ۱۹۲۷ء کو ختم ہونگی ۔ رسومات رام لیلا مثل سال ہاے گذشتہ و پیوستہ کے پابندی اوقات و جگہ کی جاوے گی ۔ کوئی جدید بات بغیر اجازت جناب حاکم علاقہ صاحب بہادر یا صاحب مجسٹریٹ بہادر ضلع نہ کی جاوے گی ۔ اجازت کے لینے درخواست کم از کم ۲۴ (چوبیس) گھنٹے قبل دینا چاہیئے *

(۴) جو فریق کسی جلوس کے نکالنے میں غیب ضروری توقف کریں گے یا اُن اوقات پر جو مقرر ہوچکی ہیں روانہ نہ ہونگے یا نہ پہنچیں گے تو وہ قابل مواخذہ عدالت فوجداری کے ہونگے اور صاحب افسر انچارج بہادر اپنی رائے سے ایسے فریق کے علیحدہ کیئے جانے کا حکم دیں گے اور بھڑپ ضرورت راستہ صاف کریں گے *

(۵) جلوس برات اور بنوباس کے دن دو بجے سے دوسرے روز چھ بجے صبح تک اور جلوس بھرت ملاپ کے دن ۱۲ بجے دن سے دوسرے روز چھ بجے صبح تک سوائے اُن ہندو رام لیلا جلسوں کے جن کی حسب رواج اجازت ہوگی کوئی اور شادی یا غمی یا کسی قسم کا جلسہ کسی سڑک یا بازار یا گلی یا عام جگہ یا شارع عام پر آٹھ آدمیوں سے زیادہ مجمع کے ساتھ یا کسی قسم کے باجے یا ڈھول یا گانے یا بجانے کے ساتھ بلا اجازت تحریری صاحب مجسٹریٹ بہادر ضلع یا صاحب مجسٹریٹ بہادر انچارج نہ نکالا جاوے *

(۶) ہتھیار بند ہوکر یا لٹھی یا ڈنڈے یا ڈنکے لیکر سڑکوں پر ۲۶ ستمبر سنہ ۱۹۲۷ء سے لیکر ۹ اکتوبر سنہ ۱۹۲۷ء تک پھرنے کی ممانعت کی جاتی ہے ۔ اِس حکم کی مشہوری ذریعہ چیرمین صاحب بہادر چنگی اندر حدود چنگی اور ذریعہ سب انسپیکٹر صاحب سنہیل اطراف بیرون حدود چنگی میں کرائی جاوے *

(۷) جو شخص یا اشخاص احکامات مندرجہ بالا کی خلاف ورزی کے مرتکب ہونگے اُن کو حسب دفعہ ۱۸۸ تعزیرات ہند چھ ماہ قید سخت یا ایک ہزار روپہ

جرمانہ یا دونوں سزائیں دی جاوینگی اور یہ سزائیں علانہ اُن سزائوں کے ہونگی جو کسی دوسرے جرم کی بابت عائد ہو سکیں۔
حکم ہوا کہ

ایک ایک نقل رو بکار ہذا کی تعمیلاً بہ اجلاس جناب ٹھاکر مہندر سنگھ صاحب بہادر سب ڈویژنل مجسٹریٹ و پولیس و تحصیل سنبھل و چیمبرمین صاحب بہادر چنگی مرسل ہوئے اور نقول اس رو بکار کی مقام عام پر بنابر مشتمل چسپاں کی جاویں *

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رو بکار اجلاس مسٹر اے پی کالٹ صاحب بہادر آئی سی ایس کلکٹر و مجسٹریٹ ضلع مراد آباد واقع ۲۷ جون سنہ ۱۹۲۷ء

انتظام عشرہ محرم قصبہ سنبھل بابت سال سنہ ۱۹۲۷ء

چونکہ ایام عشرہ محرم قریب ہیں اور اگے اُن کے متعلق انتظام مناسب نہ ہوگا تو نقص امن کا اندیشہ ہی اور یہی راے میں فوری کارروائی کرنے کی ضرورت ہی لہذا احکام ذیل زیر دفعہ ۱۲۳ ضابطہ فوجداری متعلق انتظام عشرہ محرم قصبہ سنبھل بابت سال سنہ ۱۹۲۷ء بنام جملہ باشندگان سنبھل و اطراف و نیز آئندگان و روندگان صادر کیئے جاتے ہیں تاکہ کوئی بلوہ یا فساد نہ ہو۔

(۱) جناب ٹھاکر مہندر سنگھ صاحب بہادر سب ڈویژنل مجسٹریٹ سنبھل مہتمم انتظام مقرر کیئے جاتے ہیں۔ صاحب موصوف ۵ لغایت ۱۰ محرم مطابق ۵ جولائی سنہ ۱۹۲۷ء لغایت ۱۰ جولائی سنہ ۱۹۲۷ء یا ۶ جولائی سنہ ۱۹۲۷ء لغایت ۱۱ جولائی سنہ ۱۹۲۷ء سنبھل میں قیام فرمائینگے اور مجاز ہونگے کہ جن امور کی بابت ذیل میں احکام صادر نہیں ہوئے ہیں اُن کی بابت حکم دیں۔ اُن کے احکام کی سختی کے ساتھ پابندی کی جاوینگی ورنہ فوجداری کی ماخوذی عمل میں آوینگی *

(۲) معمولی راستوں اور اوقات کی سختی کے ساتھ پابندی کی جاوینگی۔ دہشتی مجسٹریٹ صاحب بہادر ایک فہرست امامباروں اور تعزیوں کی طیار کر اگر معمولی اترانامہ جات اُن اشخاص سے لینگے جو اُن کے مہتمم ہوں۔ ایسے اترانامہ جات میں وہ مقرران اس بات کی اپنی ذمہ داری تسلیم کریں گے کہ وہ مقررہ راستوں اور اوقات کے پابند رہیں اور خصوصاً کل جلوس محرم جو مندر اور منڈیان کے سامنے سے گذرتے ہیں وہ چار بجے دن تک اس طرح گذر جائینگے کہ جلوس کا آخری حصہ اُس وقت تک بازار نخاسہ کے آخر تک پہنچ جاوے *

(۳) جو مہدی کہ محمد بخش ۹ محرم کو نکالنا ہی وہ مثل سالگذشتہ کے اُس سڑک پر لے جانی ہوگی جس پر وہ جاتی ہی۔ سنبھل میں ۷ - ۸ - ۹ محرم کو مختلف اشخاص جلوس مہدی پہلے نکالتے ہیں وہ مثل سال ہاے

گذشتہ ریپوسٹ کے مقدرہ راستوں پر لے جایا جائینگے - کوئی منہدی مہدی بجز اجازت نہ نکالی جاوے - اجازت کے لیئے درخواست کم از کم پانچ روز قبل دینا چاہیئے *

(۴) ہندواری مل کے مندر میں یکم تا ۱۰ محرم سنکھہ بجانے کی قطعاً اور سخت ممانعت کی جانی ہی *

(۵) جو تعزیه اسمولی کی طرف سے آتے ہیں اُن کی بلندی مع چبوترہ یعنی از ابتداء تا انتہا ۹ فٹ سے زیادہ نہ ہوگی - نویں محرم تک سب انسپیکٹر اسمولی اپنا اطمینان کر لینگے کہ کوئی تعزیه مقدرہ اونچائی سے زیادہ اونچا نہیں ہی *

(۶) جو فریق کسی جلوس کے نکالنے میں غیر ضروری توقف کرینگے یا اُن اوقات پر جو سابق میں مقرر ہوچکے ہیں روانہ نہ ہونگے یا نہ پہنچینگے تو وہ قابل مواخذہ عدالت فوجداری ہونگے اور صاحب انچارج بہادر اپنی راے سے ایسے فریق کو علیحدہ کر دیئے جانے کا حکم دینگے اور بشرط ضرورت راستہ صاف کر دینگے *

(۷) سوائے اُن ماتمی مسلمانوں اور جلسوں کے جن کی حسب رواج اجازت ہوگی کوئی آؤر شادی یا غمی یا آؤر کسی قسم کا جلسہ یا جلوس یکم تا ۱۰ محرم کسی سڑک یا بازار یا گلی یا عام جگہ یا شاہ راہ عام پر آٹھ آدمیوں سے زیادہ مجمع کے ساتھ یا کسی قسم کے باجے یا ڈھول یا سنکھہ بجانے یا گانے کے ساتھ بلا اجازت تحریری صاحب مجسٹریٹ بہادر ضلع یا صاحب مجسٹریٹ بہادر انچارج یا بعد م موجودگی صاحبان موصوف تحصیلدار صاحب نہ کیا اور نہ نکالا جائیگا *

(۸) جو اوقات کہ جلوس ہائے ماتمی نکالنے کے ہوں اُن میں تمام باجوں سنکھہ یا ڈھول وغیرہ کی ممانعت کی جانی ہی بجز اُن کے جس کی اجازت دی گئی ہی *

(۹) ہتھیار بند ہوکر یا لٹھی - قندے یا قنکے لیکر سڑکوں پر پھرنے کی سخت ممانعت کی جانی ہی - بڑے ڈھول کے ساتھ چہرے سے زیادہ اور چھوٹے ڈھول کے ساتھ چار سے زیادہ قنکے واسطے ڈھول بجانے کے نہ رکھے جاویں *

(۱۰) چوک۔ راے سٹی سے آگے سڑک امرورہ تا اسمولی پر جو ایک درخت پیدل کھڑا ہی اُس کے مالکان کو متنبہ کیا جاتا ہی کہ اُس کی شاخیں نویں محرم تک اِس طرح بندھوا دیں کہ کوئی شاخ راستہ کی جانب سڑک سے ۱۲ فٹ اونچائی تک لٹکتی نہ رہیں اور اگر نویں محرم تک مالکان مذکور ایسا نہ کرینگے تو تحصیلدار صاحب سنبھل کو اختیار دیا جاتا ہی کہ وہ دسویں محرم کو علی الصبح جس قدر جلد ممکن ہو سکے اُس کی تعمیل خوں کرا دیں اور

اُس میں جو کچھ صرف ہو وہ مالکان درخت سے مثل جرمانہ فوجداری وصول کیا جاویگا *

(۱۱) چونکہ اِمسال محرم موسم گرما میں ہی لہذا ۷ لغایت ۹ محرم مطابق ۷ جولائی سنہ ۱۹۲۷ء لغایت ۹ جولائی سنہ ۱۹۲۷ء یا ۸ جولائی سنہ ۱۹۲۷ء لغایت ۱۰ جولائی سنہ ۱۹۲۷ء اہل ہندو ساڑھے پانچ بجے صبح سے آٹھ بجے دن تک اور ساڑھے سات بجے شام سے سوا آٹھ بجے رات تک علاوہ مقامات مقررہ کے اپنی رسم پوجا آرٹھی وغیرہ مثلاً سنگھ - گھڑیاں - گھنٹہ - ڈھولک - باجا کسی مندر یا مکان یا کسی دیگر جگہ میں نہ کریں اور روز عاشورہ کے صبح کا رسم پوجا و آرٹھی وغیرہ سوائے درمیان ۵ بجے صبح سے ۶ بجے تک کے نہ کریں - معمولی وقت سے زیادہ صرف نہ کریں اور عاشورہ کی شام کو آرٹھی آٹھ بجے سے قبل نہ کی جاوے - محلہ سرائے توبین میں ۷ محرم کی شام کی آرٹھی قبل آٹھ بجے رات کے نہ کی جاوے - کیونکہ آٹھ بجے رات تک جلوس علم ختم ہوتے ہیں - آٹھ محرم کو شام کی آرٹھی گیارہ بجے رات کے قبل نہ کی جاوے کیونکہ اُس وقت جلوس مندی ختم ہوتا ہے - ! ۱۰ محرم کو شام کی آرٹھی دس بجے رات کے قبل نہ کی جاوے کیونکہ اُس وقت جلوس تعزیت ختم ہوتا ہے محلہ حیاتنگر میں آٹھ محرم کو شام کی آرٹھی قبل آٹھ بجے ختم کر لی جاوے - کیونکہ وہ وقت جلوس مہدی نکلنے کا ہے - ! ۱۰ محرم کو شام کی آرٹھی قبل دفن ہونے تعزیت کے نہ کی جاوے - سب انسپیکٹر صاحب سنبھل جملہ مندروں کے پوجاریوں سے اِقرارنامہ جات تحریر کرائیں کہ وہ اِن اوقات کی پابندی کرتے ہیں *

(۱۲) اہل اسلام تعزیت یا مہدی ساڑھے آٹھ بجے رات سے پہلے اپنے مقام سے باہر رکھنے کے مقررہ مقام یا چوک پر نہ رکھیں اور نہ نکالیں *

(۱۳) جو شخص یا اشخاص احکامات مندرجہ بالا کی خلاف ورزی کے مرتکب ہونگے اُن کو حسب دفعہ ۱۸۸ تعزیرات ہند چھ ماہ قید یا ۱۰۰۰ روپیہ جرمانہ یا دونوں سزائیں دی جاویں گی اور یہ سزائیں علاوہ اُن سزاؤں کے ہونگی جو کسی دوسرے جرم کی بابت عائد ہو سکیں -

حکم ہوا کہ

ایک ایک نقل روہکار ہذا کی تعمیل بہ اِجلاس جناب ٹھاکر مہندر سنگھ صاحب بہادر سب ڈویژنل مجسٹریٹ و پولیس و تحصیل و جناب چیپرمین صاحب چنگی مرسل ہوئے اور نقول اِس روہکار کی مقام عام پر بٹاؤں مشتہری چسپاں کی جاویں *

A. P. COLLETT, ESQR., I.C.S.,

مجسٹریٹ ضلع مہاد آباد

المہتمم ۲۷ جون سنہ ۱۹۲۷ء

روبنکار اجلاس جناب مسٹر اے پی کالت صاحب بہادر مجسٹریٹ
ضلع مراد آباد واقع ۹ اگست سنہ ۱۹۲۷ع

احکام زیر دفعہ ۱۴۳ ضابطہ فوجداری بابت چہلم سنہ ۱۹۲۷ع

قصبہ سنبھل ضلع مراد آباد

ہر گاہ یوم چہلم قریب ہی اور وہ قریب ہندو تبوعار جنم اشٹمی کے پڑتا
ہی۔ اُس کے متعلق انتظام مناسب نہ ہوگا تو نقض امن کا اندیشہ ہی اور میوہ
راے میں فوری کارروائی کرنے کی ضرورت ہی لہذا احکام ذیل زیر دفعہ ۱۴۳
ضابطہ فوجداری متعلق چہلم قصبہ سنبھل بابت سنہ ۱۹۲۷ع بنام جملہ باشندگان
سنبھل و اطراف و نیز آئندگان و روندگان صادر کیئے جاتے ہیں تاکہ کوئی نقض
امن کا اندیشہ نہ رہے۔ کوئی شخص احکام ذیل کی خلاف ورزی نہ کرے۔

(۱) جناب ٹھاکر مہندر سنگھ صاحب بہادر سب ڈویژنل مجسٹریٹ
مہتمم انتظام مقرر کیئے جاتے۔ ہیں صاحب موصوف ایام چہلم و جنم اشٹمی میں
سنبھل قیام فرماؤنگے اور مجاز ہونگے کہ جن امور کی بابت ذیل میں احکام
صادر نہیں ہوئے ہیں اُن کی بابت حکم دیں۔ اُن کے احکام کی سختی سے پابندی
کی جاوے گی۔ وہ ایک فہرست جلوس مہدی و تعزیوں کی مرتب کرائیں *

(۲) مقررہ راستوں اور اوقات اور طریقوں کی سختی سے پابندی کی
جاوے گی۔ ڈپٹی مجسٹریٹ صاحب بہادر ایک فہرست امامباروں - تعزیوں اور
مہدی کی طیار کراکر معمولی اقرارنامہ جات اُن اشخاص سے لینگے جو اُن کے
مہتمم ہوں۔ ایسے اقرارنامہ جات مہم وہ مقرران اِس بات کی اپنی ذمہ داری
تسلیم کریں گے کہ وہ مقررہ راستوں اور اوقات کے پابند ہیں *

(۳) سنبھل میں ۱۹ صفر کی رات کو (جو مطابق ۱۸ اگست سنہ ۱۹۲۷ع ہی)
مختلف اشخاص جلوس مہدی نکالتے ہیں اور تعزیوں کو اپنے مقامات پر رکھ کر
روشنی کرتے ہیں۔ وہ مثل سال ہائے گذشتہ و پیوستہ کے مقررہ راستوں پر
لے جایا جائیں گے اور مقررہ جگہوں پر رکھے جاوے گے۔ کوئی منہتی یا جدید تعزیہ
یا مہدی بغیر اجازت جناب سب ڈویژنل مجسٹریٹ صاحب بہادر نہ نکالی
جاوے۔ اجازت کے لیئے درخواست کم از کم ۲۴ گھنٹہ قبل دینا چاہیئے *

(۴) جو فریق کسی جلوس کے نکالنے میں غیر ضروری توقف کریں گے یا اُن
اوقات پر جو مقرر ہو چکے ہیں روانہ ہونگے یا نہ پہنچیں گے تو وہ قابل
مواخذہ عدالت فوجداری کے ہونگے اور صاحب انسر انچارج بہادر اپنہ راے سے
ایسے فریق کے علیحدہ کر دیئے جانے کا حکم دیں گے اور بشرط ضرورت راستہ صاف
کرا دیں گے *

(۵) سوائے اُن مسلمانی مائمی جلسوں اور جلوسوں کے جن کی حسب
رواج اجازت ہوگی کوئی اور شادی یا غمی یا آؤر کسی قسم کا جلسہ یا جلوس
۱۹ صفر کی ۶ بجے شام سے ایکر ۲۰ صفر کی ۷ بجے شام تک کسی سڑک یا بازار یا
گلی یا عام جگہ یا شارع عام پر آٹھ آدمیوں سے زیادہ مجمع کے ساتھ یا کسی

قسم کے ہاجے یا ڈھول یا سنگھ بجانے یا گانے کے ساتھ بلا اجازت تحریری صاحب مجسٹریٹ بہادر ضلع یا صاحب مجسٹریٹ بہادر اینچارج نہ نکالا جائیگا *
(۶) جو اوقات کہ جلوس ہاے ماتمی نکالنے کے ہوں اُن میں تمام ہاجوں - سنگھ یا ڈھول وغیرہ کی ممانعت کی جاتی ہی بجز اُن کے جن کی اجازت دی گئی ہی *

(۷) ہتھیار بند ہو کر یا لاثہی - قندے یا قنکے لیکر سڑکوں پر پھرنے کی سخت ممانعت کی جاتی ہی بڑے ڈھول کے ساتھ چھہ ے زیادہ اور چھوٹے ڈھول کے ساتھ چار ے زیادہ قنکے واسطے ڈھول بجانے کے نہ رکھے جاویں *
(۸) ۱۹ صفر کو مطابق ۱۸ اگست سنہ ۱۹۲۷ع اہل ہندو سوائے سات بجے رات ے پونے آٹھ بجے رات تک کے اور علاوہ مقامات مقررہ کے اپنی رسم پوجا و آرٹي وغیرہ (مثلاً سنگھ - گڑھیال - گھنٹہ - ڈھولک - ہاجا) کسی مندر یا کسی دیگر مکان یا جگہ میں نہ کریں اِس طرح چہلم کے صبح کا رسم پوجا و آرٹي وغیرہ سوائے درمیان ۶ بجے صبح کے اور ۱۰ بجے دن کے نہ کریں - معمولی وقت سے زیادہ صرف نہ کریں اور چہلم کی شام کو آرٹي وغیرہ ۸ بجے سے قبل نہ کی جاوے *
(۹) اہل اسلام تعزیه یا مہدی سوا آٹھ بجے رات ے پہلے اپنے مقام سے باہر رکھنے کے مقررہ مقام یا چوک پر نہ رکھیں اور نہ نکالیں *

(۱۰) جو شخص یا اشخاص احکامات مندرجہ بالا کی خلاف ورزی کے مرتکب ہونگے اُن کو حسب دفعہ ۱۸۸ تعزیرات ہند چھہ ماہ قید سخت یا ایک ہزار روپیہ جرمانہ یا دونوں سزائیں دی جائیں گی اور یہہ سزائیں علاوہ اُن سزاؤں کے ہونگی جو کسی دوسرے جرم کی بابت عائد ہوسکیں -

حکم ہوا کہ

ایک ایک نقل روکار ہذا کی تعمیل بہ اجلاس جناب ٹھاکر مہندو سنگھ صاحب بہادر ڈویژنل مجسٹریٹ و پولیس و تحصیل و جناب چیئرمین صاحب بہادر چنگی مرسل ہووے اور نقول اِس روکار کی مقام عام پر بذاب مشتمل چسپاں کی جاویں *

A. P. COLLETT,

Collector & Magistrate, Moradabad.

مسئل نمبر ۲۷ فیصلہ ۱۰.۳ اگست ۱۹۲۶ع

محکم مولوی محمد عبداللطیف صاحب بہادر سب ڈویژنل مجسٹریٹ ٹھاکر دوار

نوٹس حسب دفعہ ۱۴۳ ضابطہ فوجداری

بنام تعزیداران ٹھاکر دوارہ - گولی والہ - بولا والہ - شنکر - نکلہ نہ این - راگھو والہ
ہرگاہ کہ بوجہ رکارت تعزیه گولی والہ تمام تعزیه فتح گنج میں اِس وقت تک
رکھے ہوئے ہیں اور وہ رکارت راستہ کی دور کر کے تعزیه گولی والہ کی ہم نے خون

نکلا دیئے ہیں اور اب بھی ہم لوگ اپنے اپنے تعزیه شارع عام پر رکھے ہوئے ہیں جس سے علاوہ بغدش راستہ کے احتمال نقض امن کا ہی لہذا بذریعہ نوٹس هذا تم کو اطلاع دی جاتی ہے اور پابند کیا جاتا ہے کہ سارے دس بجے رات تک تعزیوں کو مع جلوس یا بلا جلوس اٹھاکر دفن کردہ بصورت عدم تعمیل حکم هذا مواخذہ دار قانونی کے ہو گئے *

المرقوم ۲۱ جولائی سنہ ۱۹۲۶ء بوقت ۹ بجے رات

(دستخط بخط انگریزی)

روبنکار اجلاس جناب ٹھاکر مہندر سنگھ صاحب سب ڈویژنل مجسٹریٹ سنبھل
المرقوم ۱۷ اگست سنہ ۱۹۲۷ء

احکام زیر دفعہ ۱۴۴ ضابطہ فوجداری متعلق انتظام جنم اشتمی

پھول قول یا رام قول بابت سنہ ۱۹۲۷ء - قصبہ سنبھل

چونکہ ایام جنم اشتمی پھول قول یا رام قول قریب ہیں اگر اُن کے متعلق انتظام مناسب نہ ہوگا تو نقض امن کا اندیشہ ہے اور میری رائے میں فوری کارروائی کرنے کی ضرورت ہے لہذا احکام ذیل زیر دفعہ ۱۴۴ ضابطہ فوجداری متعلق انتظام جنم اشتمی پھول قول بابت سال سنہ ۱۹۲۷ء بنام جملہ باشندگان سنبھل و اطراف و نیز آئندگان و روندگان صادر کیئے جاتے ہیں تاکہ کوئی بلوہ یا فساد نہ ہو—

(۱) ہتھیار بند ہو کر یا لٹھی لیکر سڑکوں پر پھرنے کی سخت ممانعت کی

جاتی ہے *

(۲) بغرض آسانی انتظام پولیس منیجر ان جلوس پر لازم ہے کہ کم سے کم چوبیس گھنٹہ کا نوٹس ہم کو دیں اور کوئی شخص کوئی جلوس بلا اجازت تحریری ہمارے نہیں نکال سکتا ہے بجز اُس کے کہ جس کی نوٹس ہم کو پہلے سے نہ دیئے ہوں *

(۳) معمولی راستوں اور اوقات اور طریقوں کی سختی سے پابندی

کی جاریگی *

(۴) خاص حکم متعلق محلہ ٹھٹھی - جو جلوس پھول قول مکان پرشادی لال

و امراؤ سنگھ بہمنان ساکن محلہ ٹھٹھی سے نکالا جاتا ہے وہ بابو رام صراف کے مکان کی طرف ہو کر اُن کی کوٹھی کے قریب سے سوناروں کی گلی میں گھوم جاتا ہے اور مندر شیوسہاے اور کوٹھی مصر سوچ سہاے و مسجد چناں خاں و مشین گوہندرام کے قریب ہوا سہاے کی مسجد کے سامنے سے مندر پنڈت مکند رام - درگاہ پرشاد - چیت رام پر ہو کر اُسی راستہ سے سڑک پر واپس آکر لالہ گوہند پرشاد کی دوکان کے سامنے ہوتا ہوا مصر سوچ سہاے کی کوٹھی کے اندر ہوتا ہوا یورپ والے دروازہ میں ہو کر نکل جاتا ہے اور بہمنوں اور آریہ سماج کے مندروں کے درمیان کے راستہ سے رامچرن داس - گردھاری لال - لالہ شب چرن داس کے مکان کے سامنے سے بلکھندوں پر ہو کر کنبہ پاتشالہ کی طرف سے منیجر اسکول اور

جینتیوں کے مندر کی گلی میں ہو کر تھانہ کے سامنے نکلتا ہی اور تھانہ کے دروازہ سے بازار میں ہو کر بات چکی کے قریب گلی میں راجوں کی مسجد و خزانچی گوہند پرشاد کے مکان کے قریب گلی میں سے کوچہ منڈی میں ہو کر پنڈت شیچرن - جینتی پرشاد کے مکانوں کے قریب ہو کر دیوی کے مندر کی گلی میں ہو کر مکانات پنڈت ابناشی پرشاد و پنڈت دامودر پرشاد کے قریب سے سامنے گلی میں چلا جاتا ہی اور بابو رام شکل کے مکان سے مندر چوہتہ پر ہو کر گدما پرشاد منیم کے سامنے گلی میں ہوتا ہوا دیوانخانہ مسماۃ پاٹو کے قریب سے مسجد و زیارت کے قریب ہو کر بازار میں چٹامل و رامسروپ پنساری کے مکانات کی گلی میں جا کر مکانات اہل ہنود پر ہوتا ہوا منو گامتا پر چلا جاتا ہی - اس کے علاوہ کسی جدید راستہ کے اختیار کرنے کی سخت ممانعت کی جاتی ہی - یہہ جلوس ۲۳ اگست سنہ ۱۹۲۷ء بروز منگل مطابق بھادوں بدی ایکادشی نکلیگا *

(۵) خاص حکم متعلق میلہ نیمروز سہ - پھول دول جو بلاقہ شکل کے مکان سے اُتھ کر محلہ برہمنوں اور تہنول اور شیوالہ پر ہوتا ہوا بھاگپرتی پر چلا جاتا ہی - کوئی جدید راستہ نہ نکالا جارے - یہہ جلوس ۲۳ اگست سنہ ۱۹۲۷ء بروز بدھ مطابق بھادوں بدی ایکادشی نکلیگا *

(۶) خاص حکم متعلق حاتم سہ - پھول دول مندر متصل مکان ساہو لچھمن داس سے نکل کر حسب معمول ساہو لچھمن داس - لالہ رام سہ - لالہ گوہند پرشاد کے مکان سے واپس ہو کر قلعہ کی دیوار کے نیچے ہوتا ہوا ساہو بچ رتن لال و بابو بالگوہند و ہرچرن کے مکانات ریلوے اسٹیشن عزت گدھ ہوتا ہوا جلوس بھاگپرتی جا کر ختم ہوگا - یہہ جلوس ۲۲ اگست سنہ ۱۹۲۷ء بروز دوشنبہ مطابق بھادوں بدی دسویں نکلیگا *

(۷) خاص حکم متعلق حیات نگر - جلوس پھول دول گنیشی لال کے مندر سے نکل کر سڑک سڑک ہوتا ہوا تیرتھہ مرتدجے پر چلا جائیگا - اچوہیا پرشاد کے مکان پر جلوس ہرگز نہیں جائیگا کیونکہ یہہ جدید کارروائی ہوئی - راستہ میں شبلاں وغیرہ سونار کی گلی میں ہوتا ہوا مندر بھوانی داس پر مندر رانہا پر جوگل کشور والی گلی میں ہوتا ہوا جن برہمنان کے مکان میں پھول دول بنتا ہو جاویگا واپس بازار ہو کر رام مورتی برہمن کے یہاں آویگا پھر بازار میں ہو کر مندر ساہو گنیشی لال پر واپس آویگا - یہاں سے پھر سڑک بازار ہوتا ہوا چاہ منڈا پر ہو کر تیرتھہ دھرم راے پر چلا جاویگا اور ختم ہو جاویگا - یہہ جلوس ۲۲ اگست بروز دو شنبہ بھادوں بدی دسویں نکلیگا *

(۸) خاص حکم متعلق محلہ سہ ترین - جلوس پھول دول مندر اکشمی نرائن محلہ بنتی گران سے نکل کر چھوٹے بزاز محمد شیخ خان چوہ والے کی دوکان کے سامنے ہو کر بازار میں دوارگا داس کے مکان و دوکان کے سامنے ہوتا ہوا جی رام کے مکان کی پشت پر سے اُن کے مکان کے سامنے ہوتا ہوا آریہ سماج کے مندر پر ہو کر تیرتھہ دھرم راے پر چلا جاتا ہی - یہہ جلوس ۲۲ اگست سنہ ۱۹۲۷ء بروز دوشنبہ مطابق بھادوں بدی دسویں نکلیگا *

(۹) خاص حکم متعلق محلہ ہلو سرائے - محلہ ٹھٹھیر کا جلوس پھول قہول تکلف سے اگلے روز یعنی ۲۴ اگست سنہ ۱۹۲۷ء بروز بدھ مطابق بھادوں بدی دواشی ہلو سرائے کا پھول قہول نکلیگا اور پنچایتی دالان سے جوکہ گاؤں کے پیچھم طرف ہی اُٹھ کر ہلو سرائے میں پورب طرف پنچایتی دالان پر اور درگا پرشاد پرہمن پر ہو کر اُن طرف خام راستہ سے بریلی سرائے میں پسیوں کے دالان پر ہو کر پیچھم طرف کو جا کر راستہ خام سے نلو پاندے کے مندر پر جاتا ہی اور مندر سے اُسی راستہ خام کو آکر دھن طرف کو راستہ راستہ تیرتھ جمگڈ پر پہنچ کر جلوس ختم ہو جاتا ہی - یہہ جلوس ۲۴ اگست سنہ ۱۹۲۷ء بروز بدھ ۱۰ بجے دن سے اُٹھ کر ۲ بجے دن کو ختم ہو جاوے *

(۱۰) جو شخص یا اشخاص احکام مندرجہ بالا کی خلاف ورزی کے مرتکب ہونگے اُن کو حسب دفعہ ۱۸۸ تعزیرات ہند ۶ ماہ قید سخت یا ایک ہزار روپیہ جرمانہ یا دونوں سزائیں دی جاوینگی اور یہہ سزائیں علاوہ اُن سزاؤں کے ہونگی جو کسی دوسرے جرم کی بابت عائد ہو سکیں -

حکم ہوا کہ

ایک ایک نقل روکار ہذا کی تعمیل پاس انسپشن علاقہ و تحصیل سنبھل و چیرمین صاحب بہادر چنگی مرسل ہووے اور نقول اس روکار کی متامعات عام پر بذاب مشتہری چسپاں کی جاویں *
(دستخط بخط انگریزی)

بعدالت منشی عبدالحمید خان صاحب بہادر سب ڈویژنل مجسٹریٹ
تھانہ چندوسی ضلع مران آباد

نوٹس دفعہ ۱۴۴ ضابطہ فوجداری

ہرگاہ اس وقت فہرہ ہاے اہل ہنوں و اہل اسلام باشندگان قصبہ چندوسی کے درمیان کشیدگی ہی اور چونکہ ایام عشرہ محرم میں چند بارات اہل ہنوں کی تاریخی منعقد ہیں ایسی صورت میں نقض امن کا اندیشہ ہی لہذا میں بحیثیت سب ڈویژنل مجسٹریٹ تھانہ چندوسی حکم دیتا ہوں کہ ۲ جولائی سنہ ۱۹۲۷ء بروز سنیچر بوقت ۷ بجے صبح سے ۱۲ جولائی سنہ ۱۹۲۷ء بروز سوموار وقت ۷ بجے شام تک جملہ اشخاص کو ممانعت ہی کہ چندوسی کی حدود چنگی کے کسی راستہ یا گلی یا کوچہ یا شارع عام میں کوئی جلوس بارات یا باجہ نہیں نکالیکا سوائے اُن راستوں اور اُن اوقات کے جن کی اجازت صاحب سوپرنتنڈنٹ بہادر پولیس مران آباد سے باضابطہ حاصل نہ کر لی ہو اور کوئی شخص ایسی لٹھی جو ۳ فٹ سے زیادہ لمبی اور ایک انچہ سے زیادہ موٹی ہو یا کوئی ہندوق - قلوار - ہلم یا دیگر ہتھیار یا آگ دھاردار یا نوکدار اپنے پاس نہ رکھے یعنی لیڈر

نہ نکلے علاوہ اُن اشخاص کے جنہوں نے خاص طور پر تحریری اجازت آفیسر انچارج
ہانہ چندوسی سے بہ زمانہ عشرہ محرم حاصل کی ہو - لہذا
حکم ہوا کہ

حسب دفعہ ۱۲۲ ضابطہ فوجداری جاری کیا جاتا ہے جو شخص یا اشخاص
حکم مندرجہ بالا کی خلاف ورزی کے مرتکب ہونگے اور کو حسب دفعہ ۱۸۸
تعزیرات ہند قید سخت یا جرمانہ کی سزائیں دی جاوینگی اور یہ سزائیں علاوہ
اُن سزاؤں کے ہونگی جو کسی دوسرے جرم کی بابت عائد ہوسکتی ہیں *
(دستخط بخط انگریزی)

یکم جولائی سنہ ۱۹۲۷ء

Notice issued under section 50, Act V of 1861.

Whereas I am satisfied that on the occasion of the forthcoming
Muharram it is the intention of certain Muhammadans to form processions
in the public roads, streets, and thoroughfares of Moradabad, which
processions would, in the judgement of the Magistrate of the District,
if uncontrolled, be likely to cause a breach of the peace.

Therefore by general notice herewith I do require the persons
promoting the processions to apply to me for a licence.

Application for a licence must be made to me by the person actually
promoting a procession, at least seven days before it is proposed to take
such procession out.

General notice issued this, eighteenth day of June, 1927.

P. H. MEASURES,

*Superintendent of Police,
Moradabad.*

نوٹس حسب دفعہ ۳۰ ایکٹ نمبر ۵ سنہ ۱۸۶۱ء

چونکہ اینجانب کو اطمینان ہو گیا ہے کہ آئندہ محرم میں چند اہل اسلام
صاحبان کا یہہ ارادہ ہے کہ مراد آباد کی سڑک ہاے کوچہ اور عام منظر گاہ میں
محرم کا جلوس نکالیں جس کی وجہ سے جناب صاحب مجسٹریٹ بہادر ضلع
کی رائے ہے کہ اگر اس کا انتظام نہ کیا جائے تو نقص امن کا اندیشہ ہے *

لہذا بذریعہ اشتہار عام ہم کو مشتہر کرنے کی ضرورت ہے کہ ایسے اشخاص
جو محرم کے جلوس کے نکالنے کے ذمہ دار ہوں وہ اینجانب سے لیسنس حاصل
کرنے کی درخواست کریں - ایسی درخواست اینجانب میں محرم کا جلوس
نکالنے والے ذمہ دار اہل اسلام خود کم سے کم ایک ہفتہ پہلے تاریخ جلوس سے پیش
کریں گے *

آج تاریخ ۱۸ جون سنہ ۱۹۲۷ء کو اشتہار عام جاری کیا گیا *

(دستخط) پی ایچ میسز

سوپرنٹنڈنٹ بہادر پولیس - مراد آباد

شرائط

۱ — کسی قسم کا گانا بجانا سڑک عام پر جہاں کہ کوئی تعزیه یا پنکھا رکھا جاتا ہی یا جہاں کہ کوئی مہدی یا گھوڑا یا دلدل یا تعزیه یا پنکھا نکلتا ہی نہیں بجایا جاویگا نہ کوئی گانا یا ہاجا وغیرہ کسی جلوس مہدی یا گھوڑا یا دلدل یا تعزیه کے ساتھ حدود چنگی کے اندر ہوگا *

۲ — کسی مقام یا مرثیہ کی اجازت سڑک عام پر نہیں دی جاتی ہی نہ کوئی اکھاڑہ یا پٹے بازی یا بانہ باری وغیرہ جلوس کے ساتھ ہوگا *

۳ — کوئی لٹھی یا ہتھیار اصلی یا نقلی جلوس کے ساتھ نہیں ہوگا *

۴ — جلوس کے ساتھ آدمی سے زیادہ نہیں ہونگے *

۵ — مذکورہ بالا شرائط صرف راستہ ہائے کے متعلق ہیں جن کی حسب ذیل جگہ تک پابندی کی جاوے گی —

(الف) سڑک گل شہید اُس جگہ تک جہاں کہ سڑک سنبھل و کنگھڑ اور گل شہید ملتی ہیں —

(ب) سڑک ریلوے اسٹیشن کے جلوس کے واسطے اُس جگہ تک جہاں کہ ریلوے اسٹیشن کی سڑک سنبھل کی سڑک سے ملتی ہی *

۶ — راستہ ہائے جو دراجا ہر تعزیه کے جلوس کے لیئے مقرر ہیں اُن کا لحاظ رکھا جاویگا *

نقل حکم اجلاس منشی منموہن دیال صاحب مجسٹریٹ بہادر
درجہ اول حاکم علاقہ خورجہ

نوٹس دفعہ ۱۴۴ ضابطہ فوجداری

چونکہ ہم کو تحقیق طور پر معلوم ہوا ہی کہ کچھ عرصہ سے درمیان ہندو اور مسلمان باشندگان قصبہ خورجہ تعلقات خراب ہو رہے ہیں اور فریفتن کی معمولی معمولی باتوں میں کشیدگی پیدا ہوتی ہی جس سے سخت احتمال نقض امن کا ہی لہذا بذریعہ نوٹس ہذا حکم دیا جاتا ہی اور اعلان کیا جاتا ہی کہ آج بتاریخ ۷ ستمبر سنہ ۱۹۲۷ع وقت ۱۲ بجے دن سے تا ۷ نومبر سنہ ۱۹۲۷ع کوئی شخص اندرون حدود میونسپلٹی قصبہ خورجہ کو ہتھیار کسی قسم کا یا لٹھی یا قندار کسی شارع عام سڑک یا گلی یا کوچہ یا کسی دیگر پبلک مقام پر لیکر نہ نکلے نہ جاوے — بحالت خلاف درزی حکم ہذا کسی شخص متعلق کے ساتھ مواخذہ قانونی کیا جاویگا — اسٹیشن آفیسر خورجہ کو اطلاع دی جاوے کہ ان احکام کی جو زیر دفعہ ۱۴۴ ضابطہ فوجداری جاری کیئے گئے ہیں پوری پابندی کرائی جاوے اور جو شخص اس کی خلاف درزی کرے اُس کے ساتھ مواخذہ قانونی بلا

کسی استماع کے کیا جاوے - واضح رہے کہ وہ ہتھیار جو بذریعہ لیسنس لیئے گئے ہیں وہ بھی اس حکم کی پابندی سے مستثنیٰ نہ ہونگے یعنی لیسنس دار اصحاب کو بھی اس حکم کی پوری پابندی کرنا ہوگی - اگر کسی شخص کو کسی خاص ضرورت سے کسی ہتھیار کے لئے جانے کی ضرورت ہو تو صاحب سوپرٹنڈنٹ بہادر پولیس سے اجازت حاصل کیئے بغیر نہیں لے جاسکیگا - ہتھیار متذکرہ صدر میں جملہ ہتھیار دھاردار و غیر دھاردار شامل ہیں *

آج ہمارے دستخط اور مهر عدالت سے بتاریخ ۱۷ ستمبر سنہ ۱۹۲۷ع جاری کیا گیا *

(دستخط بخط انگریزی) منشی منموہن دیال
 قہقی کلکتہ

جواب حکم گشتی نمبر ۵۴۲ محکمہ ۲ نومبر سنہ ۱۹۲۷ء بابت جلوس مذہبی جلوس تھانہ گلاؤٹیہ ضلع بلندشہر

کیفیت	تعداد احکام زیر دفعہ ۱۲۲ جو گذشتہ بارہ ماہ کے اندر راستہ متحر ہونے یا بغرض انتظام یا قاعدگی نافذ کیئے گئے مع نقول احکام	جہ جلوس نکالے گئے ان میں کتنے ہندو کے جلوس ہیں اور کتنے مسلمانوں کے	نام مقامات جن میں جلوس تیار ہونے کی وجہ سے نہیں نکالے گئے	خانہ نمبر ۱ کے جلوسوں میں کتنے ہندو کے جلوس اور کتنے مسلمانوں کے جلوس ہیں	تعداد مذہبی جلوس ۱۲ مارچ سنہ ۱۹۲۱ء سے تا تاریخ جن کو واسطہ افسران ضلع نے راستہ و وقت وغیرہ مقرر فرمائے
	تصہ گلاؤٹیہ میں میلہ چیتی آئین بحکم دفعہ ۱۲۲ ضابطہ نوچداری جاری ہوا۔ احکام حسب منظوری سال ہائے ماضیہ کہ جلوس میں ۹ جھنڈیاں - گھنٹہ - کھڑبال - ۲ آدمی ہونگے اور یہہ جلوس چاروند تصہ گلاؤٹیہ سے راستہ متحر پر ہوتا ہوا مندر دیہی متصل ڈاکخانہ پہ چاویکا - میلہ عرف ایک دن رعیکا بسلسلہ آٹھانے دوکانات کے شب کو مندر میں قیام کر سکتے ہیں	ایک ہندوؤں کا جلوس	....	ایک جلوس ہندو	ایک جلوس ہندو

(دستخط بطا الکریزی)

for District Magistrate, Bulandshahr.

مورخہ ۱۶ نومبر سنہ ۱۹۲۷ء

بحکم جناب منشی عبدالواحد خان خلیل صاحب بہادر مجسٹریٹ درجہ اول و
حاکم علانہ پر گنہ تحصیل انوپ شہر

حکم حسب دفعہ ۱۴۴ ضابطہ فوجداری

ہنام جملہ باشندگان قصبہ جہانگیر آباد و دیگر اشخاص جو قصبہ جہانگیر آباد
میں بتاریخ ۱۰ جون لغایت ۱۵ جون سنہ ۱۹۲۷ء آئیں یا موجود ہوں

ہر گاہ ہمکو رپورٹ پولیس مورخہ ۵ مئی سنہ ۱۹۲۷ء سے معلوم ہوا ہی کہ
مابین اہل ہندو و اہل اسلام قصبہ جہانگیر آباد متعلق قہر بانی گائے سخت رنجش
ہی اور سنہ ۱۹۲۲ء میں جہانگیر آباد میں بقر عید کے موقع پر بلوہ بھی ہو چکا
ہی اس سال جھگڑا ہونے کا آؤر زیادہ احتمال ہی جس سے امن عامہ میں خلل
واقع ہونے کا اندیشہ ہی لہذا ہم حکم دینے میں کہ ۱۰ جون سنہ ۱۹۲۷ء کی
صبح سے ۱۵ جون سنہ ۱۹۲۷ء کی صبح تک کوئی شخص چھت یا چھجہ وغیرہ
پر قہر بانی کی گاؤں کے حسب ذیل راستہ میں نہ چڑھے - راستہ جو نبی بخش
نور باف کے مکان سے سڑک پختہ پر محلہ خاکروبان میں ہوتا ہوا پُل چاندوک
دروازہ سے گذر کر سڑک پختہ موسومہ سڑک گھوم پر ہوتا ہوا پولیس چوکی
دھلی دروازہ و مویشی خانہ کے درمیان گذر کر سیدھا راستہ خام پر ہوتا ہوا جو
چہ دھنی سنگھ کے پاس سے گذرتا ہی محلہ روغنگران میں مکان منگل گہ چوپال
منیا تھاگران کے پاس سے ہوتا ہوا چوپال سوجان وغیرہ اوزہ کے پاس سے گھوم کر
شیخ رستم نقارچی کے مکان کے پاس سے اللہ بخش روغنگر کے مکان کے پاس سے
محلہ چکلا میں جانب جنوب سڑک پختہ پر ہوتا ہوا مسجد روغنگران کے پاس
سے گذر کر دوکان پختہ ملکیت شیخ الہی بخش کے پاس سے محلہ ہنسی دھر میں
ہوتا ہوا مکان پختہ جدید الہی بخش کے پاس سے گذرتا ہوا سکندر نجار کے مکان
پختہ کے سامنے سے ہوتا ہوا جامع مسجد کے پاس سے جانب مشرق گھوم کر مسجد
نور بافان واقع محلہ بقالان کے پاس سے ہوتا ہوا مکان محلہ چھت لال ولد
ہولاس رائے دیش کے پاس سے محلہ معماران میں ہوتا ہوا مکان ہودیل معمار کے
پاس سے جس میں پیشتر دوکان آبکاری قہی گھوم کر پُل گندہ نالہ سے گذر کر
سڑک خام موضع جلیل پور کو جاتا ہی مندرجہ بالا راستہ سے جو قہر بانی کی گاؤں
کو جہانگیر آباد سے جلیل پور لے جانے کے لیے مقرر کیا گیا ہی صرف دو گاؤں ایک
نبی بخش نور باف کے مکان سے اور دوسری سکندر نجار کے مکان سے بغرض قہر بانی
جلیل پور کو اس طرح جائیگی کہ پہلے نبی بخش کی گائے اُس کے مکان سے روانہ
ہو کر مندرجہ بالا راستہ سے سکندر نجار کی گائے لیتے ہوئے جلیل پور کو ساڑھے
چھ بجے صبح تک یا اُس سے قبل جہانگیر آباد سے باہر چلی جاوے گی - گائے کے
ساتھ تین آدمیوں سے زیادہ نہ ہونکے اور نہ کوئی جلوس یا شور یا کوئی خاص
امتیازی نشان گاؤں کے ساتھ ہوگا - صرف یہی دو گائے جہانگیر آباد سے جلیل پور
قہر بانی کے لیے جائیگی جو لوگ گاؤں کے ساتھ جلیل پور جاوینکے وہ واپس آکر
عید کی نماز پڑھیں اور بعد نماز قہر بانی کرنے والے مسلمان خاموشی کے ساتھ

جلیل پور جائیں اور وہاں سے خاموشی کے ساتھ قربانی کا گوشت اپنے اپنے گھروں کو مندرجہ بالا راستہ سے لے آئیں۔ کوئی گائے اس مرتبہ قصبہ جہانگیر آباد میں قربانی نہ کی جاوے گی۔ چار آدمیوں سے زیادہ ایک وقت میں کسی جگہ راستہ مقررہ بالا پر جمع نہ ہونگے۔ یہ لوگ بھی کار و باری ضرورت سے جمع ہو سکتے ہیں۔ مشتبہ اجنبی اشخاص کو روک لیا جاوے گا۔ کوئی شخص مسلح ہو کر یا کسی قسم کا ہتھیار مثل بندوق۔ تلوار۔ بلم۔ چھڑا۔ لٹھی وغیرہ لیکر قصبہ جہانگیر آباد میں نہ نکلیگا۔ اس حکم کا نفاذ ۱۰ جون سنہ ۱۹۲۷ء کی صبح سے ۱۵ جون سنہ ۱۹۲۷ء کی صبح تک رہیگا *

آج تاریخ ۶ جون سنہ ۱۹۲۷ء کو ہماری دستخط اور مهر عدالت ثبت ہو کر جاری ہوا *

(دستخط و مہر انگریزی) منشی عبدالواحد خان خلیل صاحب

حاکم پرگنہ تحصیل انوپشہر ضلع بلندشہر

Order under section 144, Criminal Procedure Code.

Whereas the Muhammadan public of Khanpore, by a written agreement dated August 22, 1926, with the Hindu public gave up the old Muharram procession route for a new one (as indicated in the local map and in the agreement, a true copy of which will be found with the Tahsildar of Auraiya for ready reference) to avoid a recurrence of a disturbance of public peace of the kind that was occasioned last year.

And whereas credible information has reached me that you, Gulam Husain (1), Hafizullah (2), Kallu Naddaf (3), Gulab Khan Pathan (4), Sheikh Hifazat Husain (5), Kanmust Khan (6), Wazir Khan (7), Abdulla, son of Idu (8), Kabir Khan, son of Lahim Khan (9), Ali Yar Khan (10), Munir Khan, son of Wahid Khan (11), Kallu, son of Chand Khan (12), Fattu, son of Kallu Naddaf (13), Idu Kassab (14), Sheikh Zahir Uddin (15), Abdul Hai, Merchant, Auraiya (16), Rahim Khan, son of Bhikha (17), Noor Muhammad of Khanpore (18), Idu Raj, of Khanpore (19), are intending to take out the tazia and other Moharram processions by the same old route this year, contrary to the agreement which is likely to cause a disturbance of public tranquillity, you are hereby directed to strictly follow the new settled route and abstain from using the one abandoned.

(Sd.) S. H. MIRZA,

Sub-Divisional Magistrate.

Auraiya.

June 30, 1927.

نقل نوٹس دفعہ ۱۴۴ ضابطہ فوجداری

مشمولہ مسل نمبر ۳۲ تھانہ اجیت مل منفصلہ ۳۰ اگست سنہ ۱۹۲۷ع
بحکم جناب سید سلطان حسن مرزا صاحب بہادر مجسٹریٹ درجہ اول ضلع لاٹاؤہ

نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری

بنام جملہ تعزیداران و جملہ مسلمانان و عام پبلک قصبہ دلیل نگر تھانہ اجیت مل
ہر گاہ اِمسال جگناتھ عرف جگنوں ساکن دلیل نگر کے چہوتہ کی بابت باہم
اہل اسلام و اہل ہنوں تنازعہ ہی اور جگناتھ کو $1\frac{1}{4}$ فٹ چہوتہ کھودنے کی
بابت حسب دفعہ ۱۳۳ ضابطہ فوجداری نوٹس دیا جا چکا ہی جس کم تعمیل
میں اُس نے ۳ اگست سنہ ۱۹۲۷ع کو $1\frac{1}{4}$ فٹ چہوتہ کھود دیا ہی۔ اب مزید
نوٹس اُس کو نہیں دیا جاسکتا ہی اور تحقیقات سے یہ ثابت بھی نہیں ہوا کہ
کوئی حصہ راستہ کا اب دبا ہی۔ نہ یہ بات ثابت ہوئی کہ دو یا تین تعزید بہادر
لے جانے کے اہل اسلام مستحق ہیں۔ لہذا یہ حکم یکطرفہ صادر کیا جاتا ہی
کہ باشندگان دلیل نگر و عام پبلک تعزید لے جاتے ہوئے اِس طریقہ پر کار بند ہوں کہ
کسی کے مکانات یا جزو مکانات میں مداخلت کسی قسم کی نہ ہو جس سے
امن عامہ میں خلل واقع ہو یا آسائش میں فرق آئے۔ یہ حکم ۱۲ اگست
سنہ ۱۹۲۷ع سے ۲۵ اگست سنہ ۱۹۲۷ع تک نافذ رہیگا *

(دستخط بخط انگریزی)

حاکم پر گنتہ تھانہ لاٹاؤہ

نقل حکم اجلاسی مسٹر جگدیشور نگر صاحب بہادر سب ڈویژنل مجسٹریٹ سندیلہ
مورخہ ۲۳ جولائی سنہ ۱۹۲۷ع

نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری

چونکہ سوم کے دن مسلمانان قصبہ سندیلہ نے اپنا تعزید نہیں اُٹھایا تھا اور
اب ۲۳ جولائی سنہ ۱۹۲۷ع کو اُٹھانا چاہتے ہیں لہذا اُن کو اجازت دی جاتی
ہی *

چونکہ اہل اسلام و اہل ہنوں قصبہ سندیلہ میں تعلقات آجکل اچھے نہیں
ہیں جس کی وجہ سے نقص امن کا احتمال ہی لہذا بغرض قیام امن حسب
دفعہ ۱۳۳ ضابطہ فوجداری احکام ذیل صادر کیئے جاتے ہیں —

(۱) کوئی شخص اندر حدود قصبہ سندیلہ لائہی۔ ذنڈا یا کسی قسم کا
اسلحہ ۲۳ جولائی سنہ ۱۹۲۷ع کو ۹ بجے صبح سے ۷ بجے شام تک نہ لیکہ
نکلیگا *

(۲) کل ۲۳ جولائی سنہ ۱۹۲۷ع کو ۱۰ بجے صبح سے ۹ بجے شام تک اہل ہنود کوئی سنکھہ - گھڑیال وغیرہ نہ بھائیڈگے *

(دستخط بخط انگریزی)

سب ڈویژنل مجسٹریٹ - سندیلہ

۲۳ جولائی سنہ ۱۹۲۷ع

نقل روبکار اجلاس جناب جائینٹ مجسٹریٹ صاحب بہادر حاکم تحصیل سندیلہ ضلع ہردوئی - ۲۳ اگست سنہ ۱۹۲۷ع

نوٹس حسب دفعہ ۱۴۴ ضابطہ فوجداری

ایجنڈا کو معتبر ذریعہ سے ختم ملے ہی کہ آج جلوس چٹھہ کا نکلیگا اور اُس سے اندیشہ بلوہ یا ہنگامہ کا ہی لہذا ایجنڈا حسب ذیل احکام حسب دفعہ ۱۴۴ ضابطہ فوجداری صادر کرتے ہیں -

(۱) جلوس بعد ۲ بجے دن کے نکلیگا *

(۲) جلوس درگا پرشاد کے مکان پر ۷ بجے شام تک واپس ہو جاویگا اور بعد کو ۷ بجے شام کو اپنی منزل مقصود پر پہنچ جاویگا جہاں تک کہ ہمیشہ جایا کرتا ہی *

(۳) اہل اسلام کے اوقات نماز حسب ذیل ہونگے -

(الف) نماز ظہر ۲½ بجے دن کو ختم ہو جائیگی -

(ب) نماز عصر درمیان ۴½ بجے اور ۵½ بجے شام کے ہوگی -

(ج) نماز مغرب ۷ بجے شام کے قبل شروع ہوگی *

(۴) اہل جلوس احکام انسہر انچارج جلوس کے پابند ہونگے اور تعمیل کریں گے *

(۵) کوئی شخص لڑھی - اسلحہ جلوس کے ساتھ نہ لے جائیگا - صرف جہندی ان احکام سے مستثنیٰ ہیں *

نوٹ - یہہ احکام صرف اس سال کے لیئے ہیں آئندہ سال کے جلوس پر ان کا کوئی اثر نہیں ہوگا *

(دستخط بخط انگریزی)

جائینٹ مجسٹریٹ صاحب بہادر حاکم تحصیل سندیلہ

۲۳ اگست سنہ ۱۹۲۷ع

بحکم اجلاسی جناب مسٹر جے نغم صاحب بہادر جائنٹ مجسٹریٹ و سب
ڈویژنل مجسٹریٹ - سندیلہ

نوٹس حسب دفعہ ۱۴۳ ضابطہ فوجداری

چونکہ اینجانب کو اطلاع ہوئی ہے کہ جلوس جہنۃ نصیبہ سندیلہ میں
۶ ستمبر سنہ ۱۹۲۷ء کو نکلیگا اور اُس سے اندیشہ بلوہ یا ہنگامہ ہونے کا ہے
لہذا حسب ذیل نوٹس زیر دفعہ ۱۴۳ ضابطہ فوجداری جاری کیا جاتا ہے -

(۱) جلوس ۷½ بجے صبح کے نہ نکالا جاویگا اور ایک بجے دن کو ختم
کر دیا جائیگا *

(۲) ۶ ستمبر سنہ ۱۹۲۷ء کو کوئی مجمع پانچ آدمیوں سے زیادہ کا
جلوس کے آس پاس یا بعد کو عام گلیوں میں بجز جائز اغراض کے نہ ہوگا *

(۳) اسلحہ - لاٹھی یا چھڑی جو ۴ فٹ سے زیادہ لمبائی میں ہو یا جس کا
قطر ایک انچہ کا ہو کوئی شخص ۶ ستمبر سنہ ۱۹۲۷ء کو اندر حدود میونسپل
بورڈ سندیلہ نہ لے جائیگا *

(۴) میمبران جلوس کوئی رکاوٹ یا زیادہ دیر جلوس کے نکالنے یا ختم کرنے
میں بموجب دفعہ ۱ کے نہ کریں گے *

(۵) کوئی شخص لکچر - راگ یا شور و غل جس سے کسی مذہب کی
توہین ہوتی ہو نہ کریگا *

(۶) اہل اسلام اپنی نماز ظہر قبل دیر ۷ بجے دن کے نہ شروع کریں گے بعد
صبح کی نماز ۷ بجے دن کو ختم کریں گے *

(دستخط بخط انگریزی) مسٹر جے نغم صاحب بہادر

جائنٹ مجسٹریٹ نصیبہ و تحصیل سندیلہ ضلع ہردوئی

نقل روبکار اجلاس جائنٹ مجسٹریٹ صاحب بہادر و حاکم تحصیل صاحب
تھانہ سندیلہ ضلع ہردوئی - مورخہ ۱۷ اگست سنہ ۱۹۲۷ء

نوٹس حسب دفعہ ۱۴۳ ضابطہ فوجداری

چونکہ چہلم و جنم اشتمی ایک ہی دن پڑتے ہیں اور اینجانب کو اطلاع
ہوئی ہے کہ درمیان اہل ہنود و اہل مسلم جھگڑا و فساد ہو جانے کا اندیشہ ہے
لہذا حسب دفعہ ۱۴۳ ضابطہ فوجداری حسب ذیل احکام صادر کیئے جاتے ہیں -

(۱) ۱۸ اگست سنہ ۱۹۲۷ء - تعزیه موسی رضا سے ۲۴۴ حسب معمول
سورج ڈوبنے کے وقت تک نکلیگا *

(۲) ۱۸ اگست سنہ ۱۹۲۷ء - تعزیه وزیر کا حسب معمول سے ۲۴۴ کو
سورج ڈوبنے کے وقت تک نکلیگا *

(۱) ۱۹ اگست سنہ ۱۹۲۷ع - تعزیه موسیٰ رضا کا حسب معمول نکلیگا اور صبح کو دفن ہو جائیگا *

(۲) ۱۹ اگست سنہ ۱۹۲۷ع - تعزیه دزیو کا بعد ۱۰ بجے دن کے نکلیگا اور ۹ بجے رات تک دفن ہو جائیگا *

(۳) ۱۹ اگست سنہ ۱۹۲۷ع - تعزیه سوداگران بعد ۱۲ بجے دن کے نکلیگا اور ۹ بجے رات تک دفن ہو جائیگا *

ذیکر تعزیه جو ان تعزیوں کے ساتھ ہونگے ان کو بھی ان اوقات کی پابندی کرنا ہوگی *

(۴) ۱۹ اگست سنہ ۱۹۲۷ع - کوئی منگھہ - گھڑیال اہل ہنود درمیان ۹ بجے دن و ۹ بجے رات کے نہ بجائینگے *

(۵) ۱۹ اگست سنہ ۱۹۲۷ع - تہوار جنم اشٹمی کے متعلق گانا بجانا یا آڈر کوئی رسم پونے بارہ بجے رات کے قبل نہیں شروع کی جائیگی *

(۶) کوئی شخص اسلحہ لائے - چھڑی جو ۴ فٹ سے زیادہ لمبی ہو اور جس کا قطر ایک انچ سے زیادہ ہو کسی مجمع کے ساتھ ۱۸ - ۱۹ و ۲۰ اگست سنہ ۱۹۲۷ع کو نہ لیکر نکلیگا *

(۷) جو اصحاب باہر قصبہ سے شرکت کرنے کو آدینگے ان کو بھی ان احکام کی پابندی کرنا ہوگی *

(دستخط بخط انگریزی)

سب ڈیوٹل مجسٹریٹ - سندیلہ

۱۷ اگست سنہ ۱۹۲۷ع

نقل نوٹس مجاریہ صاحب دسترکت مجسٹریٹ بہادر ضلع ہردوئی

حسب دفعہ ۱۴۴ ضابطہ فوجداری

ہرگاہ کہ قصبہ پھانی میں رام لالا کے موقع میں تاریخ یکم اکتوبر سنہ ۱۹۲۷ع گائے کا گوشت و ہڈی ایک مندر اہل ہنود میں ڈالا گیا تھا پھر اُس کے بعد بتاریخ ۲ نومبر سنہ ۱۹۲۷ع کو مختلف مساجد و چاہ آبپاشی میں سڑ ڈالے گئے ہیں اور درمیان اہل ہنود و مسلمانان اندیشہ فساد ہی اور ایک دوسرے کے خلاف الفاظ اشتعال انگیز استعمال کرتے ہیں لہذا یہ رفع شر حسب ذیل احکام صادر کیئے جاتے ہیں —

(۱) کوئی شخص الفاظ اشتعال انگیز یا افواہ بے بنیاد نہ آرائے جس سے کہ نقص امن کا اندیشہ ہو *

(۲) کوئی شخص رات میں ۱۰ بجے سے ۶ بجے صبح تک شارع عام پر نہ نمودار ہو *

(۳) اِن احکام کے نفاذ آج ۵ نومبر سنہ ۱۹۲۷ء سے ۵ دسمبر سنہ ۱۹۲۷ء تک اندر حدود نوٹیفائیڈ ایریا پہانی میں رہیگا *

جو شخص اِن احکام کی خلاف ورزی کریگا زیر دفعہ ۱۸۸ تعزیرات ہند و دفعہ ۱۵۳ تعزیرات ہند مقدمہ چلایا جاویگا *

(دستخط بخط انگریزی)

ڈسٹرکٹ معسٹریٹ بہادر - ہندوئی

نقل نوٹس دفعہ ۱۴۴ ضابطہ فوجداری

متعلق چہلم - جنم اشتمی قصبہ ملانوال اجلاسی حاکم پرگنہ صاحب بہادر بلگرام

ہم کو اِس امر کی اطلاع ہوئی ہے کہ چہلم اور جنم اشتمی ساتھ ہونے سے قصبہ ملانوال میں اندیشہ نقص امن و دنیا فساد کا ہے لہذا حسب ذیل احکام اِن رسومات کے ادا کیئے جانے کی بابت اجرا کیئے جاتے ہیں -

۱۸ اگست سنہ ۱۹۲۷ء - (۱) ہندوؤں کی پوجا ساڑھے سات بجے شام تک ختم ہو جاویگی *

(۲) تعزیرہ امام چوک پر نو بجے رات کو رکھے جاویں گے *

۱۹ اگست سنہ ۱۹۲۷ء - (۱) ہندوؤں کی پوجا صبح ساڑھے سات بجے تک ختم ہو جاویگی اور شام کو بعد نو بجے شروع کی جاویگی *

(۲) جلوس چہلم نو بجے صبح سے شروع ہو کر ۸ بجے رات تک کربلا میں پہنچ کر ختم کر دیا جاویگا *

(۳) جنم اشتمی ۱۱ بجے ۲۵ منٹ پر رات کو شروع ہوگی *

(۴) اسلحہ - لٹھی یا چھڑی وغیرہ ۴ فٹ لائپی یا ایک انچھ موٹے سے زیادہ چہلم کے جلوس میں لے جانا منع ہے *

(۵) باہمی اشتخاص جو اِن تادیبوں میں اندر حدود ٹاؤن ایریا ملانوال آرہینگے وہ بھی اِن احکام کے پابند کیئے جاتے ہیں *

آج تاریخ ۱۶ اگست سنہ ۱۹۲۷ء کو میپے دستخط اور مهر عدالت سے جاری کیا گیا *

(دستخط انگریزی)

سب ڈویژنل مجسٹریٹ صاحب بہادر

حکم ہوا کہ

دو قطعہ نوٹس پاس سب انسپیکٹر صاحب تھانہ ملانواں مہسل ہوک لکھا جاوے کہ حکم ہذا کی مشقہبی قصبہ ملانواں میں بہ آواز دہل بخوبی کرا دیویں اور ایک پوت نوٹس ہذا شارع عام پر چسپاں کرا کے ایک کانستبل یا چوکیدار وہاں تعینات کر دیویں تاکہ کوئی شخص اُسے چھوڑانے نہ پاوے۔ جملہ آفریدی مجسٹریٹ صاحبان و میمب صاحبان ٹاؤن اہریا اور اُن اشخاص کے جو کہ جنم اشتمی بناتے ہیں اور چہلم کا جلوس نکالتے ہیں اُن کی اطلاع پہ کرا کے بعد تعمیل ۱۸ اگست سنہ ۱۹۲۷ء بمقام ملانواں ہمارے پاس واپس کریں *

(دستخط بظ انگریزی)

مجسٹریٹ صاحب

۱۶ اگست سنہ ۱۹۲۷ء

Order under section 144, Criminal Procedure Code.

Whereas it is likely that a breach of peace may occur during the Muharram processions from July 7 to 11, 1927, in the town of Zaidpur, district Bara Banki, and, with a view to ensure the strict observance of the terms of agreement which has today been effected before me on a duly stamped paper, I order under section 144, Criminal Procedure Code, that—

- (1) The tazia of Hafiz Muhammad Nazir will start from Bara Pura early in the morning of Ashra day with his companion Sunnis and will be buried at 10 a. m.
- (2) The tazia of Saiyid Rashid Husain will start from his Imambara at 10 a. m. and will clear the rasta opposite the lane in the north of Ghulam Ashraf Halwai's house near pachdari and will clear the Bara Bandh at 11:30 a. m.
- (3) Saiyid Ainal Husain's tazia will start from his Imambara at 11 a. m. on the Ashra day and will clear the Bara Bandh at 12 noon.
- (4) The jalus following Ainal Husain's tazia will remain at a suitable distance behind the jalus following Rashid Husain's tazia. The Government officer-in-charge of the arrangements will decide the suitable distance. Timings shall be kept by his watch.

I also make the following order under section 144, Criminal Procedure Code, with a view to maintain peace and order on the occasion of the Muharram celebration in Zaidpur from July 7 to 11, 1927.

That nobody shall carry any firearms or sword or spear or *lathi* within the Zaidpur town for from days (July 7 to 11, 1927) (*lathi* in the

above order means any stick more than $2\frac{1}{2}$ feet in length and $4\frac{1}{2}$ inches in circumference).

S. O., Safdarganj, will widely notify the order at once and post copies of the same at important places in the town and serve the order on the following in particular :—

- (1) Hafiz Muhammad Nazir ; (2) Saiyid Rashid Husain ; (3) Saiyid Ainul Husain.

June 25, 1927.

(Sd.) SHRI DHAR AGARWAL.

COPY.

Notice under section 144, Criminal Procedure Code.

Whereas a marriage will be celebrated in the village of Rasauli simultaneously with the observance of Muharram in the same village, and whereas it is necessary to preserve peace and order, I make the following order under section 144, Criminal Procedure Code, for the village of Rasauli, police station Safdarganj, the order shall remain in force from July 6 to 11, both days inclusive.

No person shall carry any firearm, sword, or *lathi* by day or by night during the aforesaid days. *Lathi* implies any stick more than $2\frac{1}{2}$ feet in length and more than 2 inches in circumference. The above order should be published in the village as widely as possible by the Tahsildar and station officer.

Copy of this order be sent to Superintendent of Police, Tahsildar and S. O., Safdarganj.

BARA BANKI :
July 6, 1927.

(Sd.) SHRI DHAR AGARWAL,
Sub-Divisional Magistrate, Nawabganj.

COPY.

Notice under section 144, Criminal Procedure Code.

Whereas four Hindu marriages will be celebrated at Dewa simultaneously with the observance of Muharram in that town, and it is likely that a breach of peace might occur, and therefore, with a view to maintain peace and order, and as well as to enforce strict compliance of the manner in which the above observances have been agreed to be carried out, I hereby make the following order under section 144, Criminal Procedure Code :—

- No. 1. That Puttu Lal and Sarju Prasad Kacher, Chhanga and Mahabir Sunars, persons who have to celebrate marriage shall not by themselves or by others on their behalf allow music to be played except singing to be done by women inside their houses.
- No. 2. That nobody shall carry any firearms, sword, or *lathi* by day or by night in the town of Dewa. *Lathi* implies any

stick more than 2½ feet in length or more than 2 inches in circumference and does not include alams carried in Muharram.

The above order shall remain in force from July 7 to 11, both days inclusive.

S. O., Kursi, shall publish this order as widely as possible in the town of Dewa and on the person of Puttu Lal and Sarju Prasad, Chhanga, Mahabir.

Copy of this order to S. O., Kursi, Tahsildar, Nawabganj, and for information to District Magistrate and Superintendent of Police,

(S1) SHRI DHAR AGARWAL,

July 7, 1927.

Sub-Divisional Magistrate, Bara Banki.

(COPY.)

Order under section 144, Criminal Procedure Code.

Whereas it has been brought to my notice that a marriage party will arrive in Nawabganj from Lucknow today, stay here for two days and leave on the 11th (morning) and whereas Bindeshwari Prasad, son of Dhanpat Rai, and Babu Shiam Sunder, Reader, Collectorate, on leave, representing the bride's party have given an undertaking in writing that there shall be no nautch, music or fire-works displayed on any occasion connected with the barat, and whereas it is necessary, with a view to maintain peace and order to enforce the above observance strictly, I order, under section 144, Criminal Procedure Code, that Babu Shiam Sunder and Babu Dhanpat Rai shall not either by himself or through anybody else on his behalf or on behalf of the bridegroom's party allow any music, fire-works or nautch during the celebration of marriage.

This order shall remain in force from July 8 to 11 (both inclusive).

The barat party shall positively depart on the morning (5 a. m.) of July 11, as stated by Babus Shiam Sunder and Bindeshwari Prasad.

(Sd.) SHRI DHAR AGARWAL,

July 8, 1927.

Sub-Divisional Magistrate.

(COPY.)

Order under section 144, Criminal Procedure Code.

Whereas it has been brought to my notice that on the occasion of Phool Dol procession this year in village Ibrahimabad there is likelihood of breach of peace owing to the tension of feelings existing between the Hindus and Musalmans of that village, and whereas an arrangement was arrived at last year which worked satisfactorily and there is no reason to differ therefrom this year, I pass the following order under section 144, Cr. P. C., in conformity with the previous year's arrangement with

the view to ensure strict observance of the arrangement and prevent any breach of the peace.

1. The procession can start at any time from 12 noon onwards.
2. No *sankh* from Pir Ali's house to that of Sarju Tamboli.
3. Procession route of last year described in the police report which is as under :—

Ram Dol starts from Mendi Lal Halwai's house situated in Purani Bazar. It goes northward in the street and passes between the houses of Gur Dayal Halwai on the right and another house of Mendi Lal on the left. It goes on up to the house of Gur Dayal Halwai, where people assemble and proceed towards the north, and it passes by the house of Pir Ali whose courtyard adjoins the street. It proceeds further towards the north on the pathway on the east of Dargah and *qubrustan* till it reaches the house of Sarju Tamboli in Kaithana mohalla. It then passes by the doors of Sheoraj Bali Kayasth and Gauri Shanker Brahman and proceeds in the street going towards the west passing in front of Kallu Kalwar's house. It reaches Bhagwan Din Brahman's house where under an imli tree it stops for an hour. Then, again, it proceeds and on the left of the pathway at a distance of 20 paces, goes to the courtyard of Lala Mahtab Rai and from there turning towards the north reaches Shambhu Brahman's house where it stops for some time and proceeds eastward, after some distance passing between Raghuber Mali's house and pukka well of Jwala Prasad and enters the *galyara* and proceeds to mohalla Dorajpur, where, passing on the left of Nimbakra of Ram Suchit, it moves eastward and passes between Chheda Barber's and Ausan Pasi's houses and passes on the left of Ram Suchit Brahman's compound in the pathway leading towards the south. It stays for some time at the house of Durga Din Brahman and then goes northward and stays for some time at Bhagwan Din Brahman's house and then it proceeds on the path lying on the north of Raghunath Brahman's house.

It then reaches Bisheshar Brahman's house, where it stays for some time and then passes at the back of Dalla and Matai Abhir's houses and reaches the *shivra* of Ganga Prasad Bhagat. From there it goes southwards on the *mends* of the fields and reaches the mahwa tree and from there it proceeds southward on the back of Hafizulla Khan's house and on the north of Jan Muhammad's house and reaches Bachhu Lal and Mahesh Prasad's houses and stays in the courtyard and then returns on the same route and passing by the house of Ghore Khan it reaches *galyara* and proceeds westward. On the left of this path is the house of Mendu Khan, and on the north, the back of the house of Gulzar Khan and further on, on the left are the backs of Manzur Hasan Syed and Muhammad Ali's house; then it passes by the door of Doolam Dhobi leaving on the left the back of the compound of Pir Bakhsh there is a pathway between the Pir Bakhsh house and compound. After Doolam Dhobi's house it passes through a narrow lane adjoining Gur Dayal Halwai's shop and reaches the imli tree, and from there it passes southward by the house of Mendi Lal Halwai. From the house of Dwarka Pasi it turns eastward and passes in the courtyard of Mangloo and Jagannath Teli's and then returns in the same route and reaches the bazar where it is placed before the house of Gur Dayal Halwai and from there it is carried to the house of Mendi Lal Halwai.

4. This order shall remain in force from August 13 to 25, '27, both days inclusive in village Ibrahimabad, police station Kothi.

5. During this period carrying of *lathi*, sword, or any firearm with the Ram Dol procession is strictly prohibited in village Ibrahimabad.

(Sd.) SHRI DHAR AGARWAL,
Sub Divisional Magistrate, Nawabganj.

Copy forwarded to S. P., S. O., Tahsildar and District Magistrate.

(Sd.) SHRI DHAR AGARWAL,
S. D. O., Nawabganj.

11th August, '27.

(COPY.)

Notice under section 144, Criminal Procedure Code.

Whereas it has been brought to my notice from the report of S. O., Safdarganj, that a *chhappar* has been newly put up by Rahat Ali in front of his house in village Chandauli, police station Safdarganj, and whereas this *chhappar* lies on the way by which *tazias* are taken out during Chehlum, and it is reported to me that this *chhappar* was removed to allow the passage of *tazias* last Muharram time and the parties have also been bound over under section 107, Cr. P. C., on account of tension of feelings and since Rahat Ali has agreed in writing to remove his *chhappar* during this Chehlum time, and therefore with a view to ensure strict observance of the above undertaking by Rahat Ali, and to prevent any breach of peace, I hereby order that Rahat Ali, son of Abid Ali will at once remove the *chhappar* in front of his house and clear the passage of *tazias*.

No. 2. That nobody shall carry any *lathi*, sword, or firearms in the town of Chandauli.

No. 3. The above order shall remain in force from today up to August 30, 1927.

(Sd.) SHRI DHAR AGARWAL,
Sub-Divisional Magistrate, Nawabganj.

16th August, '27.

Order under section 144, Cr. P. C.

Whereas there is dispute between the Hindus and Muslims of village Baroli Malik, P. S. Kothi, tahsil Nawabganj, as to whether "Naglila" is or is not celebrated in this village, and whereas the parties have agreed in writing before me to celebrate "Naglila" on August 30, '27, from 10 a.m. to 6 p.m., under conditions herein after noted and therefore, with a view to enforce the agreement arrived at and to prevent any breach of the peace, I order under section 144, Cr. P. C., that—

(1) "Naglila" shall be celebrated in Baroli on August 30, '27, from 10 a.m. to 6 p.m., on Mahadeo's chabutra near Tal;

(2) That the procession will pass the Masjid near the school before Zohur prayers and reach the chabutra in time to finish the "Lila" before 'Magrib' prayers.

(3) That nobody shall carry any *lathi*, firearms or sword on August 30, 1927, in Baroli.

(4) That the above order shall remain in force from August 26 to 31, 1927.

(Sd.) SHRI DHAR AGARWAL,

*Sub-Divisional Magistrate,
Nawabganj.*

August 27, 1927.

COPY forwarded to (1) Deputy Commissioner, (2) S. P., (3) Tahsildar, (4) S. O., Kothi.

(Sd.) SHRI DHAR AGARWAL,

S. D. M., Nawabganj.

August 27, 1927.

(COPY).

Order.

Whereas from the report of the C. I., B. Ram Kishore, it appears that a breach of peace may take place during the celebration of Dasehra festival in Nawabganj town, and whereas it is necessary to maintain peace and order I make the following order under section 144, Cr. P. Code:—

1. That no body shall carry any *lathi*, firearm, sword or *danda* within the limits of municipality of Nawabganj and from Satrikh Naka to Dasehra Bagh.

2. The above order shall remain in force from October 1, '27 to October 10, '27.

Danda or *lathi* prohibited by the above order will be any stick more than 3 feet in length and more than 2 inches in circumference.

(Sd.) SHRI DHAR AGARWAL,

*Sub-Divisional Magistrate,
Nawabganj.*

October 1, 1927.

In the above order swords, *phari*, *gadka*, and similar other implements (flag, etc., taken by the processionists in connexion with Ramlila and the procession) are excluded.

(Sd.) SHRI DHAR AGARWAL.

October 1, 1927.

COPY of the above note to S. O. for information at once.

(Sd.) SHRI DHAR AGARWAL.

October 1, 1927.

محکم جناب حاکم تحصیل صاحب بہادر فتحپور ضلع ہذا کے یکم جولائی
سنہ ۱۹۲۷ء

نقل احکام حسب دفعہ ۱۴۴ ضابطہ فوجداری بابت ایام محرم قصبہ فتحپور

برائے تحفظ نقض امن قصبہ فتحپور ایام محرم کے لیے حسب ذیل احکامات
حسب دفعہ ۱۴۴ ضابطہ فوجداری صادر کیئے جاتے ہیں —

(۱) ۲ جولائی سنہ ۱۹۲۷ء لغایت ۱۳ جوئی سنہ ۱۹۲۷ء قصبہ فتحپور
میں کوئی شخص لٹھی یا اسلحہ آتشی یا دیگر اسلحہ اصلی یا نقلی لیکر
نہ نکلیگا *

(۲) اگر کوئی اکھاڑا کسی قسم کا چھڑی یا ہتھیار لیکر نکلتا چاہیں تو وہ
اولاً صاحب سوپرٹنڈنٹ بہادر پولیس سے اجازت حاصل کرے *

(۳) علم کے بانس اگر ۱۰ فٹ سے کم ہوں تو اُن کا محیط ۳ انچہ سے
زیادہ نہ ہو *

(۴) لٹھی سے مراد ہوا خوری کی چھڑی سے نہیں ہی - اگر کوئی مریض
یا دیگر اشخاص چھڑی لیکر نکلیں تو اُس کا محیط ۲ انچہ سے زائد نہ ہو *

چونکہ احکام ضروری ہیں لہذا یکطرفہ صادر کیئے جاتے ہیں *

خلاف ورزی احکامات والا کی یاداش حسب دفعہ ۱۸۸ تعزیرات ہند ہوگی -
یکم جولائی سنہ ۱۹۲۷ء *

نقل حکم ہذا پاس سب انسپیکٹر علاقہ پیچ کر لکھا جاوے کہ ان احکامات
کی بخوبی منادی و مشہوری کراکر ایک پرت شارع عام پر چسپاں کراکر رپورٹ
تعمیلی ارسال سرشتہ کریں *

یکم جولائی سنہ ۱۹۲۷ء

(دستخط) بخط انکمیزی

محکم جناب حاکم تحصیل صاحب بہادر فتحپور ضلع بارہ بنکی یکم جولائی
سنہ ۱۹۲۷ء

احکام حسب دفعہ ۱۴۴ ضابطہ فوجداری بابت ایام محرم قصبہ سہالی

برائے تحفظ نقض امن قصبہ سہالی میں ایام محرم کے لیے حسب ذیل
احکامات حسب دفعہ ۱۴۴ ضابطہ فوجداری صادر کیئے جاتے ہیں —

(۱) ۲ جولائی سنہ ۱۹۲۷ء لغایت ۱۳ جولائی سنہ ۱۹۲۷ء قصبہ
سہالی میں کوئی شخص لٹھی یا اسلحہ آتشی یا دیگر اسلحہ اصلی یا نقلی
لیکر نہ نکلیگا *

(۲) اگر کوئی اکھڑہ کسی قسم کی چھڑی یا ہتھیار لیکر نکلتا چاہے انورہ
اولاً صاحب سوپرٹنڈنٹ بہادر پوائس سے اجازت حاصل کر لے۔ *

(۳) علم کے بانس اگر ۱۰ فٹ سے کم ہوں تو ان کا محیط ۳ انچہ سے
زیادہ نہ ہوں۔ *

(۴) لٹھی سے مراد ہوا خوری کی چھڑی اسے نہیں ہی - اگر کوئی مریض
یا دیگر اشخاص چھڑی لیکر نکلیں تو ان کا محیط ۲ انچہ سے زائد نہ ہو۔ *

چونکہ احکام ضروری ہیں لہذا یکطرفہ صادر کیئے جاتے ہیں۔ *

خلاف درزی احکام بالا کی پاداش حسب دفعہ ۱۸۸ تعزیرات ہند ہوگی -
یکم جولائی سنہ ۱۹۲۷ع۔ *

نقل حکم ہذا پاس سب انسپیکٹر علاقہ بھیج کر لکھا جاوے کہ ان احکامات کی
بخوبی منادی و مشہوری کر کے ایک پرت شارع عام پر چسپاں کر کے رپورٹ
تعمیلی فوراً ارسال سرشتہ کریں۔ *

(دستخط بخط انگریزی)

یکم جولائی سنہ ۱۹۲۷ع

اجلاس جناب حاکم تحصیل صاحب بہادر فتحپور ضلع بارہ بنکی
۲ جولائی سنہ ۱۹۲۷ع

نقل احکام دفعہ ۱۴۴ ضابطہ فوجداری متعلق ایام محرم
موضع سہالی تھانہ فتحپور

چونکہ درمیان اہل ہنوں و اہل اسلام ساکنان قصبہ سہالی تھانہ فتحپور
ہندو رنجش دلی باقی ہی اور اغلب ہی کہ ایام محرم میں کوئی نقص امن واقع
ہو لہذا حسب دفعہ ۱۴۴ ضابطہ فوجداری حسب ذیل احکامات صادر کیئے
جاتے ہیں -

(۱) اہل ہنوں واقع موضع سہالی کو ممانعت کی جاتی ہے کہ وہ
بکم لغایت ۱۰ محرم بمقام مندر مہاپیر یا اندرون باغ جس میں مندر مہاپیر
واقع ہے سنکھ و گھڑیاں وغیرہ یا اور کوئی باجا بلند آواز کا نہ بجاویں اور نہ
کوئی وہاں میلا لگاویں۔ *

چونکہ احکام ضروری ہیں لہذا یکطرفہ صادر کیئے جاتے ہیں۔ *

خلاف درزی احکام بالا کی پاداش حسب دفعہ ۱۸۸ تعزیرات ہند ہوگی -
۲ جولائی سنہ ۱۹۲۷ع۔ *

نقل احکام ہذا پاس سب انسپیکٹر علاقہ بھیج کر لکھا جاوے کہ موضع سہالی
میں احکام ہذا کی بخوبی منادی و مشہوری کر دیں اور ایک پرت شارع عام پر
چسپاں کر کے رپورٹ تعمیلی ارسال سرشتہ کریں

۳ جولائی سنہ ۱۹۲۷ع۔ *

(دستخط بخط انگریزی)

اجلاس حاکم تحصیل صاحب بہادر فنتھپور ضلع بارہ بنکی

احکام حسب دفعہ ۱۴۴ ضابطہ فوجداری

ہرگاہ ہرطبق درخواست کنج بہاری بہمن مورخہ ۲ جولائی سنہ ۱۹۲۷ء واضح ہو کہ ۸ جولائی سنہ ۱۹۲۷ء بروز سوموار موضع سلیم پور تھانہ فنتھپور میں مسمیٰ کنج بہاری بہمن کی بہن کی شادی ہی جس میں بارات مہکا مو ہندی سے آدینگی اور ہاجا وغیرہ بھیکا - چونکہ ۸ جولائی سنہ ۱۹۲۷ء کو ۷ محرم سے ہوگی اس وجہ سے اغلب ہی کہ درمیان اہل ہنود و اہل اسلام موضع سلیم پور میں کوئی نقص امن واقع ہو - فریقین نے صلح نامہ بتاریخ ۱۳ روزہ داخل کر دیا ہی جس سے باہمی فیصلہ ہو گیا ہی لہذا بموجب صلح نامہ فریقین حسب ذیل احکامات حسب دفعہ ۱۴۴ جاری کیئے جاتے ہیں -

(۱) ۴ محرم بروز منگل رات کو کنج بہاری کے مکان کے اندر گانا و بجانا و رتھکا ہوگا - اہل اسلام کے یہاں اُس روز کوئی کام نہ ہوگا *

(۲) ۵ محرم کو کنج بہاری نے یہاں گھر میں ۱۲ بجے دن سے دینی پوجن ہوگا اور ۳ بجے تک اپنے مکان واپس آدینگے اور اُسی تاریخ میں ۷ بجے رات سے ۹ بجے رات تک ست نراین کا کام ہوگا - اُسی روز دو گھڑی دن رہے علم محدث پور وغیرہ سے سلیم پور میں آدینگے اور سورج غروب ہونے کے بعد جین پور کی طرف واپس جاوینگے *

(۳) ۶ محرم کو کنج بہاری کے یہاں پوجا ہوگا اور ۲ بجے کے اندر ختم ہو جاوینگا - اُسی روز سلیم پور میں شام پور میں دو گھڑی دن رہے علم آدینگے اور سورج غروب ہونے کے بعد واپس جاوینگے اور اُسی روز الہ پور میکرالی سے یہی علم آدینگے اور سورج غروب ہونے کے بعد واپس جاوینگے *

(۴) ۷ محرم یوم جمعہ کو علم تھمینا ۶ و ۱۰ بجے دن کو اُٹھ کر اور سلیم پور میں گشت کر کے دو گھڑی دن رہے جین پور کی طرف چلے جاوینگے اور صبح کو واپس آدینگے - اُسی روز سورج غروب ہونے کے بعد کنج بہاری کے یہاں بارات آدینگی اور تھاک کو بیہ سنگھ یا ستروہن سنگھ زمیندار کے یہاں مکان میں ٹھہریگی اور دو دوار کا چار ۸ بجے یا ۹ بجے رات کے درمیان ہوگا اور گانا بجانا بیابا ہوگا *

(۵) ۸ محرم یوم شنبہ کو دو بجے دن سے ۶ بجے شام تک کھانا بارات کو دیا جاوینگا - ہاجا بھیکا - اہل اسلام کا کوئی کام اُس روز نہ ہوگا *

(۶) ۹ محرم یوم اتوار ۱۰ و ۱۱ بجے دن کلیوا ہوگا اور ۳ بجے دن سے ۶ بجے دن تک بارات کا کھانا ہوگا اور اُسی روز شام کو تعزیت چوک پر رکھے جاوینگے اور دن و رات میں مجالس ہونگی *

(۷) ۱۰ محرم ہوم دوشنبہ کو ۹ بجے دن سے تعزیر اٹھینگے اور سورج غروب ہونے کے وقت تک کربلا میں دفن ہو جاویں گے - اُس ۶ بجے شام کو کھانا بارات کو دوبارہ دیا جاویگا جس وقت تعزیر آبادی سے باہر نکل جاویں گے - اُس وقت باجا وغیرہ نہ بچیں گے اور چونکہ احکام ضروری ہیں لہذا فوراً اجرا کیئے جاتے ہیں - خلاف درزی احکام بالا کی پاداش حسب دفعہ ۱۸۸ تعزیرات ہند ہوگی *

۴ جولائی سنہ ۱۹۲۷ء

حکم ہوا کہ

نقل احکامات بالا کی پاس سب انسپیکٹر علاقہ بھیج کر لکھا جاوے کہ ان احکامات کی بخوبی منادی و مشہوری کرا دیں اور ایک نقل شارع عام پر چسپاں کر کے رپورٹ تعمیلی ارسال سرشتہ کریں *

(دستخط بخط انگریزی)

۴ جولائی سنہ ۱۹۲۷ء

اجلاس جناب حاکم تحصیل بہادر فتحپور ضلع بارہ بنکی
۴ جولائی سنہ ۱۹۲۷ء

احکامات دفعہ ۱۴۴ ضابطہ فوجداری

موضع بسارہ تھانہ فتحپور

چونکہ موضع بسارہ میں ۲ محرم کو امراؤ سنگھ ٹھاکر کے یہاں بارات آئی ہی اور ۵ محرم تک وہاں بارات قیام کریگی اور اُس میں ناچ اور باجا ہوگا اور آتشبازی چھوڑی جاویگی - چونکہ زمانہ محرم کا ہی اغلب ہی کہ کوئی اندیشہ نقض امن کا ہو لہذا حسب ذیل احکامات جن کو فریقین نے ذریعہ صلح نامہ منظور کیا ہی حسب دفعہ ۱۴۴ ضابطہ فوجداری صادر کیئے جاتے ہیں -

(۱) ناچ کسی قسم کا بارات یا دوارے کے چار میں نہ ہوگا *

(۲) باجا اہل ہندو ہر قسم کا بجا سکتے ہیں اہل اسلام کو کوئی اعتراض نہ ہوگا مگر سنگھ یا گھڑیاں اہل ہندو نہیں بجا سکتے ہیں *

(۳) عورتیں اہل ہندو کی اپنے گھر کے اندر دوارے کے چار کے اور اندر باہر د کوٹھے پر اپنے مکانات کے جہاں کہ بارات آئی ہی گا سکتی ہیں *

(۴) آتشبازی اہل ہندو چھوڑ سکتے ہیں اہل اسلام کو کوئی اعتراض نہ ہوگا *

چونکہ احکامات ضروری ہیں لہذا یکطرفہ صادر کیئے جاتے ہیں *

خلف درزی احکامات بالا کی پاداش حسب دفعہ ۱۸۸ تعزیرات ہند ہوگی -
۴ جولائی سنہ ۱۹۲۷ء *

نقل احکامات ہذا پاس سب انسپیکٹر علاقہ بھیج کر لکھا جائے کہ موضع بساڑہ میں ان احکامات کو بخوبی منادی و مشہوری کر دیں اور ایک پتہ شارع عام پر چسپان کر کے رپورٹ تعمیلی ارسال سرشتہ کریں *

(دستخط بخط انگریزی)

۴ جولائی سنہ ۱۹۲۷ء

اجلاس جناب حاکم تحصیل صاحب بہادر فتحپور ضلع بارہ بنکی
۲ جولائی سنہ ۱۹۲۷ء

احکام دفعہ ۱۴۴ ضابطہ فوجداری

متعلق محرم موضع تلوک پور تھانہ رام نگر

۱۔ تحفظ حفظ امن بمقام موضع تلوک پور تھانہ رام نگر ایام محرم کے لئے
حسب ذیل احکامات حسب دفعہ ۱۴۴ ضابطہ فوجداری جاری کیئے جاتے ہیں -

(۱) ایام محرم میں اہل ہنود اپنے مندروں میں بوجا پات مع باجا وغیرہ دن میں ۱۰ بجے تک شام ۸ بجے تک حسب معمول کریں گے *

(۲) ۷ محرم کو علم دوپہر سے آٹھ گھنٹہ تک غروب آفتاب کے وقت تک گشت کریں گے *

(۳) سورج بلی کے لڑکے کی بارات ۷ محرم کو وقت ۹ بجے شب مہابلی کے یہاں آویں گی اور ۹ محرم کو صبح کو رخصت ہو جاویں گی - اس درمیان میں ناچ و گانا ہوگا باجا بھیکا مگر ۹ محرم کو ۶ بجے صبح سے ناچ و گانا وغیرہ و باجا وغیرہ بند ہو جاویں گے *

(۴) ۹ محرم کو اہل اسلام کے تعزینے ۹ بجے شب سے گشت کریں گے اور چوک پر آویں گے *

(۵) ۱۰ محرم کو تعزینے ۱۲ بجے دن سے آٹھ گھنٹہ کو ۷ بجے شام تک دفن ہو جاویں گے اس درمیان میں اہل ہنود باجا وغیرہ نہ بجاویں گے *

(۶) ۷ محرم لغایت ۱۰ محرم موضع تلوک پور میں کوئی شخص لائے یا اسلحہ آتش یا دیگ اسلحہ اصلی یا نقلی لیکر نہ لے لیا *

(۷) اگر کوئی اکھاڑہ کسی قسم کی چھڑی یا ہتھیار لیکر نکلتا چاہے تو اس کا صاحب سوپرنٹنڈنٹ بہادر پولیس سے اجازت حاصل کرے *

(۸) علم کے بانس اگر ۱۰ فٹ سے کم ہوں تو اُس کا محیط ۳ انچہ، سے زیادہ نہ ہو *

(۹) لائھی سے مراد ہواخوری کی چھڑی سے نہیں ہی - اگر کوئی مریض یا دیگر شخص چھڑی لیکر نکلے تو اُس کا محیط دو انچہ، سے زائد نہ ہو *

چونکہ احکامات ضروری ہیں لہذا یکطرفہ صادر کیئے جاتے ہیں *

خلاف درزی احکامات بالا کی پاداش حسب دفعہ ۱۸۸ تعزیرات ہند ہوگی *

۲ جولائی سنہ ۱۹۲۷ ع

نقل احکام ہذا پاس سب انسپیکٹر علاقہ بھیج کر لکھا جاوے کہ ان احکامات کو بخوبی منادی و مشہوری موضع قلوک پور میں کہادیں اور ایک پرت شارع پر چسپاں کر کے رپورٹ تعمیلی ارسال سرشتہ کریں *

(دستخط بخط انگریزی)

۲ جولائی سنہ ۱۹۲۷ ع

اجلاس جناب حاکم تحصیل صاحب بہادر فتحپور ضلع بارہ بنکی واقع
۵ جولائی سنہ ۱۹۲۷ ع

نقل احکام حسب دفعہ ۱۴۴ ضابطہ فوجداری

موضع ٹکیت گنج تھانہ کُرسی ایام محرم

چونکہ قصبہ ٹکیت گنج تھانہ کُرسی میں ایام محرم ہیں چھوٹکو حلوائی اور مہابیہ کے لڑکوں کی شادی - ہی اغلب ہی کہ درمیان اہل ہند و اہل اسلام نقض امن واقع ہو لہذا بموجب صاحب نامہ فریقین احکام ذیل حسب دفعہ ۱۴۴ ضابطہ فوجداری جاری کیئے جاتے ہیں -

(۱) ۷ محرم کو چھوٹکو حلوائی کے لڑکے کی بارات ضلع اناؤ جائیگی اور بعد محرم واپس آئیگی اور اسی روز ۶ بجے سے لیکر ۸ بجے دن تک عورتیں گاتی ہوئی منگل پور جی کے یہاں جاوینگی اور ۱۲ بجے دن سے ایک بجے دن جنوانسے کی رسم ادا کی جاوےگی اس کے بعد بارات روانہ ہو جاوےگی - اسی روز مہابیہ کے یہاں موضع منکاپور ضلع گوندہ سے پے پوجی آوےگی اور ۴ سے ۵ بجے شام تک عورتیں گاتی ہوئی آم پوجنے جاوینگی *

(۲) ۸ محرم کو ۸ بجے دن سے ۱۱ بجے دن تک کھانا ہوگا - عورتیں گھر کے اندر گانا گویںگی اور دھول بجاوینگی اور اسی روز ۶ بجے شام سے ۸ بجے رات تک عورتیں گاتی ہوئی لائھی بھجائے نہں پور جی کے یہاں جاوینگی اور جنوانسے کی رسم پھر اسی درمیان میں ادا ہوگی اور رات کو ایک بجے سے ۲ بجے تک

کھانا ہوگا۔ عورتیں گائینگی اور ڈھول بھینکا اور دیگر رسومات شادی ادا ہوگی *۔

(۳) ہندو شادی میں قصبہ ٹکیت گنج کی حدوں کے اندر کوئی ناچ و باجا نہ ہوگا صرف ڈھول اندر مکان بجایا جائیگا *۔

چونکہ احکام ضروری ہیں لہذا فوراً جاری کیئے جاتے ہیں *۔

خلاف ورزی احکامات بالا کی پاداش حسب دفعہ ۱۸۸ تعزیرات ہند ہوگی *۔
۵ جولائی سنہ ۱۹۲۷ع

نقل احکام ہذا پاس سب انسپیکٹر علاقہ بھیج کر لکھا جاوے کہ قصبہ ٹکیت گنج میں احکامات بالا کی بخوبی مفادی و مشتمل کیادیں اور ایک شارع عام پر چسپاں کر کے رپورٹ تعمیلی ارسال شدہ کریں۔ ایک پت نقل پاس تحصیلدار صاحب فتحپور بھیجی جاوے۔ ۵ جولائی سنہ ۱۹۲۷ع *۔

نوٹ — ہر اے تحفظ نقض امن قصبہ ٹکیت گنج ایام محرم کے لیئے حسب ذیل احکامات حسب دفعہ ۱۴۳ ضابطہ فوجداری صادر کیئے گئے —

(۱) ۲ لغایت ۱۳ جولائی سنہ ۱۹۲۷ع قصبہ ٹکیت گنج میں کوئی شخص لٹھی یا اسلحہ آتش یا دیگر اسلحہ اصلی یا نقلی لیکر نہ نکلیگا *۔

(۲) اگر کوئی اکھاڑا کسی قسم کی چھڑی یا ہتھیار لیکر نکلنا چاہے تو وہ اولاً صاحب سوپرٹنڈنٹ بہادر پولیس سے اجازت حاصل کرے *۔

(۳) عام کے بانس اگر ۱۰ فٹ سے کم ہوں تو اُن کا محیط تین انچہ سے زیادہ نہ ہو *۔

(۴) لٹھی سے مراد ہوا خوری کی چھڑی سے نہیں ہی۔ اگر کوئی مریض یا دیگر شخص لیکر نکلنا چاہے تو ۲ انچہ سے اُن کا محیط زیادہ نہ ہو *۔

(دستخط بخط انگریزی)

اجلاس جناب حاکم تحصیل صاحب بہادر فتحپور ضلع بارہ بنکی
۹ جولائی سنہ ۱۹۲۷ع

احکام دفعہ ۱۴۳ ضابطہ فوجداری

محرم موضع نعیم آباد تھانہ فتحپور

چونکہ موضع نعیم آباد تھانہ فتحپور میں انگنوں بنسپہوڑ ساکن نعیم آباد کے ہتھیار کی بتاریخ ۹ محرم مطابق ۱۰ جولائی سنہ ۱۹۲۷ع شادی کے قیل اور ۱۰ محرم کو میں ہیں اور چونکہ فرزند علی و چھدا ساکنان نعیم آباد کے یہاں تعزیرہ رکھا جاتا ہی جس سے درمیان اہل اسلام و اہل ہندو اندیشہ نقض امن

کا ہی لہذا بموجب صلح نامہ فریقین حسب ذیل احکامات حسب دفعہ ۱۴۴ ضابطہ فوجداری جاری کیئے جاتے ہیں —

(۱) ۹ محرم مطابق ۱۰ جولائی سنہ ۱۹۲۷ع یوم انوار کو انگنوں بندھوڑ ساکن نعیم آباد کے بھتیجے کی شادی کے قبل اور میں اُس میں اُس روز عورتیں صرف دیہی پوجن علاوہ گانے بجانے کے کھینگی اور اُس روز کٹھا نہ ہوگی *

(۲) ۱۰ محرم کو دوپہر تک مسلمان اپنے تعزیه کربلا میں دفن کر دیں گے اور اُس روز بعد دفن تعزیه کے انگنوں کے یہاں کٹھا ہوگی اور میں ہوگی اور سنکھہ و گھڑیال بھجیگا اور گانا بجانا ہوگا — قبل دفن تعزیه کوئی سنکھہ و گھڑیال راجا نہ بھجیگا اور نہ گاگا ہوگا *

چونکہ احکامات ضروری ہیں لہذا فوراً صادر کیئے جاتے ہیں *

خلاف درزی احکامات بالا کی پاداش حسب دفعہ ۱۸۸ تعزیرات ہند ہوگی *
۹ جولائی سنہ ۱۹۲۷ع

نقل احکامات ہذا پاس سب انسپیکٹر علاقہ بھیج کر لکھا جاوے کہ اُن احکامات کی بخوبی منادی و مشتمل کردیں اور ایک پرت موضع نعیم آباد میں شارع عام پر چسپاں کر کے رپورٹ تعمیلی ارسال سوشہ کریں *

(دستخط بظ انگریزی)

۹ جولائی سنہ ۱۹۲۷ع

اجلاس جناب حاکم تحصیل صاحب بہادر فٹنچور ضلع بارہ بنکی

۱۰ جولائی سنہ ۱۹۲۷ع

نقل احکام دفعہ ۱۴۴ ضابطہ فوجداری

محرم موضع عیسی پور تھانہ فٹنچور

ہم گاہ رپورٹ پولیس تھانہ فٹنچور مورخہ ۱۰ جولائی سے واضح ہوا کہ آج بتاریخ ۹ محرم مطابق ۱۰ جولائی سنہ ۱۹۲۷ع مسمی دھرم داس اہیر ساکن عیسی پور کے یہاں کٹھا ہوگی جس میں سنکھہ و گھڑیال بھجیگا — بدھو و امید علی بہنہ ساکنان دیہہ کو اس میں اعتراض ہی — اغلب ہی کہ کوئی نقص امن واقع ہو — فریقین میں آپس میں مصالحت ہوگئی ہی لہذا بموجب صلح نامہ حسب ذیل احکامات حسب دفعہ ۱۴۴ ضابطہ فوجداری صادر کیئے جاتے ہیں —

(۱) مسمی دھرم داس اپنے یہاں آج بتاریخ ۹ محرم مطابق ۱۰ جولائی سنہ ۱۹۲۷ع کٹھا مع سنکھہ و گھڑیال غروب آفتاب تک کرے *

(۲) بدھو و امید علی بہنہ و فیو دیگر اہل اسلام موضع بعد غروب آفتاب تعزیرہ داری کریں اور تعزیه چوک پر لویں *

احکامات ضروری ہیں لہذا فوراً صادر کیئے جاتے ہیں *

خلاف درزی احکامات بالا کی پاداش حسب دفعہ ۱۸۸ تعزیرات ہند ہوگی *

۱۰ جولائی سنہ ۱۹۲۷ع

احکامات بالا سے حاضرین کو اطلاع دی جاوے اور ایک نقل پاس سب انسپیکٹر علاقہ بھیج کر لکھا جاوے کہ موضع میں بخوبی منادی و مشتمہی کرا دیں *

(دستخط بخط انگریزی)

۱۰ جولائی سنہ ۱۹۲۷ء

اجلاس جناب حاکم تحصیل صاحب بہادر فتحپور ضلع بارہ بنکی

۱۶ اگست سنہ ۱۹۲۷ء

نقل احکام دفعہ ۱۴۴ ضابطہ فوجداری

چہلم و جنم اشتہی بابت موضع شیخپور علی پور تھانہ فتحپور

ہرگاہ درمیان اہل ہنود و اہل اسلام موضع شیخپور علی پور تھانہ فتحپور بابت چہلم و جنم اشتہی چونکہ ایسا ایک ہی روز ہوتے ہیں جھگڑا ہی اور اندیشہ نقض امن ہی - حالانکہ فریقین نے صلح نامہ داخل کر دیا ہی جس میں تعین وقت کا ہو گیا ہی مگر بہ نظر مناسب احکام دفعہ ۱۴۴ ضابطہ فوجداری بموجب صلح نامہ جاری ہونے کی ضرورت ہی لہذا حسب ذیل احکام حسب دفعہ ۱۴۴ ضابطہ فوجداری صادر کیئے جاتے ہیں -

(۱) ۲۰ اگست سنہ ۱۹۲۷ء کو اہل ہنود ۱۱½ بجے رات سے ۱۲½ بجے رات تک سنکھ و کرتال و گھڑیال و نگڑیا و شہنائی و ارگن باجا بجا کر جنہ کر لینگے اُس کے بعد کسی قسم کا باجا وغیرہ نہ بجاوینگے *

(۲) اہل اسلام ۲۰ اگست سنہ ۱۹۲۷ء کو ۱۲½ کے بعد رات کو تعزیه آٹھائینگے اور ۳ بجے رات کو گشت کر کے چوک پر رکھینگے اور ۲۱ اگست سنہ ۱۹۲۷ء کو سورج غروب ہونے کے بعد کربلا میں تعزیه دفن کر دینگے *

احکام ضروری ہیں لہذا فوراً صادر کیئے جاتے ہیں *

خلاف درزی احکام بالا کی پاداش حسب دفعہ ۱۸۸ تعزیرات ہند ہوگی *

۱۶ اگست سنہ ۱۹۲۷ء

نقل احکام ہذا پاس سب انسپیکٹر علاقہ بھیج کر لکھا جاوے کہ ان احکامات کی موضع میں بخوبی منادی و مشتمہی کرا دیں اور ایک پرت شارع عام چسپاں کر کے رپورٹ تعمیلی ارسال سرشتہ کریں *

(دستخط بخط انگریزی)

۱۶ اگست سنہ ۱۹۲۷ء

اجلاس جناب حاکم تحصیل صاحب تھانہ فتحپور ضلع بارہ بنکی
۱۷ اگست سنہ ۱۹۲۷ء

احکام حسب دفعہ ۱۴۴ ضابطہ فوجداری

چہلم د جنم اشنمی موضع حضرت پور تھانہ رام نگر

ہرگاہ درمیان اہل ہنوں و اہل اسلام ساکنان موضع حضرت پور بابت اُنھانے
دول سنتو لوہار تنازع ہی اور اندیشہ نقض امن کا ہی حالانکہ فریقین نے
صلح نامہ داخل کر دیا ہی جس سے سنتو لوہار کو اسمال دول اُنھانے کی اجازت
دیدہ گئی ہی مگر بہ نظر مناسب احکام حسب دفعہ ۱۴۴ ضابطہ فوجداری
بموجب صلح نامہ جاری کیا جانا ضروری معلوم ہوتا ہی لہذا حسب ذیل
احکامات صادر کیئے جاتے ہیں —

(۱) اسمال پھر سنتو لوہار اپنا جدید دول اُنھا کہ متئم . اہیر کے دروازہ
سے ہوتا ہوا دلدھل تھاکر کے دروازہ جاوے اور وہاں سے سپرہی اہیر کے دروازہ
ہوتا ہوا ہرجموہن کے احاطہ کے دکھن تھاکر دوارہ میں چلا جاویگا اور ہمراہ دول
ہرجموہن کے راستہ مقررہ پر ہوتا ہوا سنگت بابا رامداس پہنچ جاویگا اور وہیں
صبح ہو جاویگی *

(۲) سال آئندہ اگر سنتو لوہار اور کوئی اہل ہنوں مدعا علیہم میں سے
دول نکالنا چاہیں تو اولاً عدالت دیوانی سے چارہ جوئی کہلین اور ایسا نہ کریں گے
تو آئندہ مجاز دول اُنھانے کے نہ ہونگے *

(۳) یہ کہ ہرجموہن لال کا دول بدستور اُنھا کریگا — چونکہ احکام
ضروری ہیں لہذا فوراً صادر کیئے جاتے ہیں — خلاف ورزی احکام بالا کی پاداش
حسب دفعہ ۱۸۸ تعزیرات ہند ہوگی *

نقل احکام ہذا پاس سب انسپیکٹر رام نگر بھیج کہ لکھا جاوے کہ ان احکامات
کی بخوبی منادی و مشہوری موضع میں گرا دیں اور ایک پتہ شارع عام پر
چسپاں کر کے رپورٹ تعمیلی ارسال سرشتہ کریں *

(دستخط بخط انگریزی)

المقام ۱۷ اگست سنہ ۱۹۲۷ء

اجلاس جناب حاکم تحصیل صاحب بہادر فتحپور ضلع بارہ بنکی
۷ ستمبر سنہ ۱۹۲۷ء

نقل احکام حسب دفعہ ۱۴۴ ضابطہ فوجداری

متعلق ناگ لیلہ بدو سراے تھانہ رام نگر

ہرگاہ درخواست سینکل پرشاد وغیرہ ساکنان بدو سراے تاریخ ۱۴ ستمبر سے واضح ہوا
کہ بتاریخ ۱۱ لغایت ۱۳ ستمبر سنہ ۱۹۲۷ء دوران ایام ناگ لیلہ بمقام بدو سراے

دنکل ہوگا جس میں کہ پہلوان مختلف مقام سے آکر کشتی لڑینگے اور اکثر دنکل میں بموجب بیان سیتل پشاد سائل اندیشہ نقض امن کا ہوتا ہی لہذا حسب ذیل احکام حسب دفعہ ۱۴۲ ضابطہ فوجداری جاری کیئے جاتے ہیں —

(۱) ایام ناگ لیلہ میں یا ناگ لیلہ کے دوسرے روز بدو سراے میں کوئی دنکل نہ کیا جاویگا *

(۲) کوئی شخص دنکل منعقد نہ کریگا اور نہ کوئی اس میں شریک ہوگا *

احکام ضروری ہیں لہذا فوراً صادر کیئے جاتے ہیں *

خلاف ورزی احکام بالا کی پاداش حسب دفعہ ۱۸۸ ضابطہ فوجداری ہوگی *
۷ ستمبر سنہ ۱۹۲۷ع

نقل احکام ہذا پاس سب انسپیکٹر علاقہ بھیج کر اکھا جاوے کہ بدو سراے میں بخوبی مشہور و منادی کہ کوئی شخص دنکل نہ کرے اور نہ کوئی شرکت کرے - سب انسپیکٹر اس حکم کی تعمیل کا خاص خیال رکھیں *
(دستخط بخط انگریزی)

۷ ستمبر سنہ ۱۹۲۷ع

اجلاس جناب حاکم تحصیل صاحب بہادر فتحپور ضلع بارہبنکی

۱۰ نومبر سنہ ۱۹۲۷ع

چونکہ اسماعیل پورہ بانسی مزرعہ بسارہ تھانہ فتح پور میں میل نمبر ۱۴ سوک پختہ فتحپور بارہبنکی پر دھنس جگ جدید ۹ نومبر سنہ ۱۹۲۷ع لغایت ۱۸ نومبر سنہ ۱۹۲۷ع ہوگا جس کی بابت اعلیٰ اسلام ساکنان بسارہ کو اعتراض ہی حالانکہ ہندو فریقین نے صلح نامہ داخل کر دیا ہی مگر اغلب ہی کہ پھر بھی نقض واقع ہو لہذا حسب دفعہ ۱۴۲ ضابطہ فوجداری حسب ذیل احکامات صادر کیئے جاتے ہیں —

(۱) سرورپ ہر روز ۹ لغایت ۱۸ نومبر سنہ ۱۹۲۷ع مندر رام اوتار برہمن ساکن بسارہ سے سچ کہ میل نمبر ۱۴ پر جایا کریگا اور بعد غروب آفتاب واپس مندر رزم اوتار ہوا کریگا *

(۲) ۱۷ نومبر سنہ ۱۹۲۷ع کو رام بیہا ہوگا اسی روز موضع بسارہ میں جلوس ہندوؤں کے یہاں گشت کریگا - گشت میں بسنتو برہمن کے گھر پر جلوس لے جانے میں مسلمان سخاوت ملک و رنجیت خان و ٹرکو و شکر و حاکم علی

و مبارک علی و یوسف خان و سجاد خان و اکرام خان کے مکانات پڑینگے تو یہہ
زمینداران اہل اسلام کے گھروں کی طرف نہیں جاویگا *

(۳) دھنس جگ اہل ہندو ہر سال اسی ماہ میں کرینگے - اگر ان
تواریخ میں کبھی اہل اسلام کا نہوار پڑیگا تو ایسی صورت میں تواریخ گھٹائی
بڑھائی جاسکتی ہی *

چونکہ احکام ضروری ہیں لہذا یکطرفہ صادر کیئے جاسکتے ہیں *

خلاف درزی احکامات بالا کی پاداش حسب دفعہ ۱۸۸ ضابطہ نوجداری
ہوگی *

(دستخط بخط انگریزی)

المترجم ۱۰ نومبر سنہ ۱۹۲۷ع

APPENDIX F.

(See page 381 *supra*.)

Copy of the explanation referred to in answer to starred question No. 207 (b) for December 21, 1927.

As to the Sub-Divisional Officer's remark about two records (Nos. 563 and 564) having been tampered with by changing the dates to conceal my mistakes, I would submit that there was *hukamnama* on record No. 563 in which 23rd May, 1927, was fixed. From its perusal it would appear that had I changed the date, I would have done it in the *hukamnama*, too. Similarly in the *hukamnama*, which is on record No. 564, the date 25th May, 1927, was clearly written. In both the records 23rd and 25th May, 1927, were genuine and were not changed by me. If they were the altered dates my *locum tenens* got the alterations initialled by me when he took over charge from me. The order written below the previous order is dated 8th June, 1927, in file No. 563. My substitute might have penned through with a different ink the wordings in order to put me in trouble and to be appointed at my place. Similarly, he did in file No. 564, otherwise it is the common practice that whenever an official alters a date he initials the cuttings. The miscellaneous records of the like are seldom put up for *peshi* on the fixed date, for the reason that the heavy work of the post of judicial muharrir was being done by me single-handedly in tahsil Bulandshahr, the orders in miscellaneous cases received after service were used to be put up after regular suits had been heard and the orders obtained on them, and it was for this that these files could not be put up on 23rd and 25th May, 1927. Besides it was the practice also in this tahsil. The *hukamnama* of file No. 564 was not received after service, probably up to the date of my proceeding on leave and for this reason the case, after the *hukamnama* had been put on file on 4th July, 1927, was dismissed for default on the part of the mukhtar of the decree-holder.

APPENDIX G.

(See page 286 *supra*.)STATEMENT REFERRED TO IN ANSWER TO STARRED QUESTION NO. 228
FOR DECEMBER 21, 1927.*I.—Names of municipalities which have Medical Officers of Health,
according to their class.*

(1) Mussoorie.	(12) Allahabad.
(2) Hardwar.	(13) Jhansi.
(3) Meerut.	(14) Benares.
(4) Aligarh.	(15) Naini Tal.
(5) Muttra.	(16) Lucknow.
(6) Agra.	(17) Fyzabad.
(7) Bareilly.	(18) Hathras.
(8) Moradabad.	(19) Etawah.
(9) Shahjahanpur.	(20) Chandausi.
(10) Farrukhabad-cum-Fatehgarh.	(21) Dehra Dun.
(11) Cawnpore.	(22) Mirzapur.

*I.—Names of municipalities which are required to have Medical
Officers of Health but have none at present.*

II—CLASS.

- (1) Gorakhpur—The appointment is about to be made.

III—CLASS.

(2) Budaun.	(6) Ghazipur.
(3) Hapur.	(7) Bahrich.
(4) Pilibhit.	(8) Sitapur.
(5) Jaunpur.	

*III.—Names of municipality which has Medical Officer of Health of
a lower class than required under the rules.*

Saharanpur.—A qualified officer is not yet available.

* NOTE.—Budaun has abolished the post. Hapur does not think it necessary. The remaining boards have not been able to make the necessary contribution for staff.

APPENDIX H.

(See page 586 *supra*.)

*Statement referred to in answer to unstarred question No. 10 asked by
PANDIT NANAK CHAND SAHIB for December 21, 1927.*

No.	Name of Member.	Attendance.
1	Collector, Bulandshahr, Chairman	Four meetings out of five.
2	Lala Babu Lal, B.Sc., LL.B.	None out of five.
3	Mr. Muhammad Ismail Ali Khan	Ditto.
4	Rai Bahadur Chaudhri Raghuraj Singh	Ditto.
5	Pandit Sohan Lal	Two out of five.
6	Mr. Abdul Rauf, B.A., LL.B.	Five out of five.
7	M. Mulla Najib Khan Sahib	Ditto.
8	Pandit Ram Prasad Sharma Sahib	Four out of five.
9	Mr. Muhammad Khan	Three out of five.
10	Divisional Superintendent of Industries, Meerut and Agra divisions.	Ditto.
11	Headmaster of the school	Five out of five.

APPENDIX I.

(See page 392 *supra*.)

Statement referred to in answer to unstarred question No. 41, asked by THAKUR GULAB SINGH SAHIB, on December 21, 1927.

Serial number.	Name of Institution. (a)	Number of scholars on roll in classes XI and XII on August 1, 1927. (b)	Cost of the teaching staff for classes XI and XII per mensem. (c)	Amount of fees realized from classes XI and XII per mensem. (d)
			Rs.	Rs. A. P.
1	Government Intermediate College, Allahabad.	108	2 178	607 12 0
2	Government Intermediate College, Almora.	56	2,040	808 12 0
3	Government Intermediate College, Jhansi.	51	2,134	256 12 0
4	Government Queen's College, Benares	200	3,987	995 13 0
5	Government Intermediate College, Fyzabad.	137	2,981	643 8 0
6	Government Jubilee Intermediate College, Lucknow.	110	2,801	529 12 0
7	Government Intermediate College, Etawah.	45	1,570	200 0 0
8	Government Intermediate College, Moradabad.	104	2,111	498 10 0

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Thursday, December 22, 1927.

THE Council met in the Council House, Lucknow, at 11 a.m. The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT (79):

The Hon'ble Sir Sam O'Donnell.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
The Hon'ble Thakur Rajendra Singh.
The Hon'ble Nawab Muhammad Yusuf.
Kunwar Jagdish Prasad.
Mr. E. A. H. Blunt.
Mr. Panna Lal.
Sir Ivo Elliott.
Mr. J. H. Darwin.
Mr. H. A. Lane.
Mr. R. L. Yorke.
Mr. A. W. Pim.
Mr. A. W. McNair.
Khan Bahadur Chaudhri Wajid Husain.
Mr. E. L. Norton.
Mr. F. F. R. Channer.
Mr. R. J. S. Dodd.
Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Mirza Muhammad Sajjad Ali Khan.
Khan Bahadur Mr. Masud-ul-Hasan.
Mr. E. Ahmad Shah.
Babu Rama Charana.
Pandit Babas Bibari Tiwari.
Thakur Manjit Singh Rathor.
Rai Bahadur Lala Jagdish Prasad.
Chaudhri Dharamvir Singh.
Thakur Manak Singh.
Thakur Pratap Bhan Singh.
Thakur Bikram Singh.
Raja Kushal Pal Singh.
Thakur Gulab Singh.
Lieut. Raja Kahi Charan Misra.
Lala Nemi Saran.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Babu Kishori Prasad.
Pandit Mulchand Dube.
Pandit Devata Prasad.

Babu Shyam Lal.
Pandit Venkatesh Narayan Tivary.
Babu Kavendra Narayan Singh.
Pandit Shri Sadayatan Pande.
Thakur Shiva Shankar Singh.
Rai Bahadur Thakur Hanuman Singh.
Raja Indrajit Pratap Bahadur Sahi.
Shaya Hanumat Prasad Singh.
Pandit Badri Dutt Pande.
Mr. Mukandi Lal.
Sirdar Nihal Singh.
Rai Bahadur Chaudhri Jagannath Prasad.
Rai Bahadur Babu Mohan Lal.
Rai Bahadur Pandit Sankata Prasad Bajpai.
Haji Abdul Qayum.
Mr. Muhammad Abdul Bari.
Maulvi Zohur-ud-din.
Khan Bahadur Shaikh Zia-ul-Haq.
Lieut. Nawab Muhammad Jamshed Ali Khan.
Nawabzada Muhammad Liaqat Ali Khan.
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.
Maulvi Muhammad Obaid-ur-Rahman Khan.
Khan Bahadur Hafiz Hidayat Husain.
Khan Bahadur Shah Badre Alam.
Shaikh Ghulam Husain.
Khan Bahadur Saiyid Jafer Hosain.
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Man.
Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.
Khan Bahadur Hakim Mahbub Ali Khan.
Khan Bahadur Maulvi Fasih ud din Khwaja Khalil Ahmad Shah.
Mr. Muhammad Habib.
Mr. St George H. S. Jackson.
Rai Bahadur Lala Mathura Prasad Mehrotra.
Raja Shambhu Dayal.
Kunwar Bisheshwar Dayal Seth.
Raja Jagannath Bakhsh Singh.

AGRA PROVINCE ZAMINDARS' ASSOCIATION CONTRIBUTION BILL.

The consideration of the Bill was resumed.

CLAUSE 4.

Lala Nemi Saran : I beg to move that the following proviso be added to clause 4 :—

“Provided that no such contribution shall be realized by the arrest of the person liable to pay it.”

I need not amplify my amendment by very many words. I simply wish to remind the honourable members of this House that there is a distinction between the status of the taluqdars of Oudh and the zamindars of the Agra province regarding this question. According to the law taluqdars, however small amount of land revenue they may be paying, are not liable to be arrested for the realization of the land revenue. No process of arrest can be issued against them. While on the other hand the zamindars of the Agra province, however big they may be and even if they are paying Rs. 25,000 or Rs. 30,000 as land revenue, are not exempt from this dishonourable practice. I, Sir, have on various occasions tried to bring this question before this House and on one occasion the Government promised that they would consider the question, but we have not yet been told what has been done in the matter. Well, Sir, as far as land revenue is concerned that is absolutely the concern of the Government, and if they are so hard-hearted as they are and if they do not want to grant the request of the zamindar of the Agra province, we cannot do anything. But here the case is different. We are going to enact a new legislation and by that legislation we are going to impose certain new liabilities on the zamindars, and when these liabilities are only of the nature of contributions and subscriptions, I think it is but meet that such a provision ought to exist there as may protect the zamindars from this disgrace. I hope, Sir, my amendment would not meet with any opposition from any quarters, and with this hope I do not want to make my speech lengthy.

Rai Bahadur Chaudhri Jagannath Prasad : I accept the amendment proposed by my friend Lala Nemi Saran.

Question, that the following proviso be added to clause 4, viz., “Provided that no such contribution shall be realized by the arrest of the person liable to pay it,” put and agreed to.

Question, that clause 4, as amended, stand part of the Bill, put and agreed to.

CLAUSE 5.

Lala Nemi Saran : I beg to move that in lines 2 and 3 of clause 5 the following words may be inserted between “Act” and “shall” :—

“who may not have paid his contribution [voluntarily within three months after it has become due.”

I may read the clause as it stands amended :—

“Every person who is liable to pay a contribution under this Act and who may not have paid his contribution voluntarily within three months after it has become due shall pay such contribution in the manner prescribed by the United Provinces Land Revenue Act, 1901, for the payment of land revenue, and any arrears of contributions, etc., etc., etc.”

In the beginning I may make it clear that I do not approve of the clause, irrespective of the fact whether my amendment is carried or not. The clause imposes a liability on the members of this association to the effect that their subscriptions shall be realized from them by all such processes, however coercive they may be, by which land revenue can be realized from them. Firstly, I have got an objection on principle to the fact that the Government should realize these subscriptions as land revenue. The House has already committed itself to the view when it has proceeded to consider this Bill in spite of our protests against the fact that the Government should in one way or the other realize this subscription from the members of this association, but it is still to be settled by this Council whether they wish that such subscriptions should be realized by way of land revenue or only that the Government should use its revenue machinery to realize the subscriptions as subscriptions only.

My objections to these subscriptions being realized as land revenue are, firstly, that the payment of land revenue is regulated by instalments. Certain instalments are paid by the zamindars according to what has been decided in the *wajib-ul-arz* of a certain district or certain village. These subscriptions are to be realized, I believe, annually and not by instalments. Therefore if this subscription is to be realized by way of land revenue, may I inquire what will be the instalments in which this subscription will be realized; whether this subscription will be realized with the first instalment of the revenue or with the last, or in the alternative would this subscription be equally divided in the various instalments of the revenue and accordingly realized? As far as the instalments of the revenue are concerned, I believe it would be very difficult for the zamindars to pay the subscription according to these instalments. It would at the same time be very difficult for the zamindars to say in what instalments they could make this payment. It may be convenient to certain zamindars to pay the whole sum annually in one lump sum; to the others it may be advisable to pay in instalments. Therefore as the clause now stands there is no option left to the zamindar to decide in what way he must pay his subscription. I have tried to find out from the rules of the association whether they give me any clue as to what is the intention of this clause, but there I do not find in what instalments, in what way and at what time is this subscription to be paid by the members of the association. It should, therefore, be made explicit whether this subscription, or contribution as you might call it, is to be paid by the zamindars according to the instalments of land revenue payable by them, or whether it will be at the option of the zamindar to pay it either at the end of the year or at its beginning. My amendment wants to give a little latitude to the members of the association. It says that the contribution should be realized as land revenue, if it is to be realized by way of land revenue, only when a member of the association is in arrears for the past three months. We already know how very difficult it is to pay our subscriptions, which are after all our optional contributions, at regular times. When it is difficult for us to pay those sums which we are legally liable to pay at the fixed time, it is all the more difficult for us to pay our subscriptions at regular times. Therefore some latitude should be given to the members of the association to pay their subscriptions at their ease. Secondly, if this amendment is accepted, it would not interfere

[Lala Nemi Saran.]

with the intention of the framers of this Bill, but it would only give a little latitude to the members of the association.

My second objection to this subscription being realized as land revenue is this that, though we have been able to get through this House an amendment by which a process of arrest cannot be issued against a person for the purpose of realizing the subscription, still I feel that there are other coercive processes which are in the armoury of the revenue authorities to realize land revenue. There is a distinction between land revenue and the contribution which this Bill asks the zamindars to pay. Land revenue is a tax, as I would call it, which is legally payable by the zamindars to the State. Naturally for the existence of the State and for the administration of the State it is necessary that such sums should be paid at exact times and, if necessary, certain coercive processes may also be used against the defaulters. But may I know whether the same condition and argument hold good in the case of these contributions? Is there any understanding between the Government and the members of the association or would the members of the associations, or have the framers of the Bill made it quite certain from the Government that they would see that no such coercive measures which are still left to them will be used against the members for realizing these contributions? It may be argued that the matter for the time being may be left to the discretion of the revenue officers. But we know that the revenue officers on the spot, specially tahsildars, are persons who are guided by their own whims and interests in issuing processes against even big zamindars. It is sometimes used as a method of expressing disapproval of the zamindar. That is my objection, and therefore why should this contribution be realized as land revenue and all the methods applicable to land revenue applied here also? Therefore I would commend this amendment to the House, and I would request the honourable member in charge of the Bill to be courteous enough to accept it as he has accepted my previous amendment.

Rai Bahadur Lala Mathura Prasad Mehrotra : I rise to support the amendment. In supporting this amendment I would like to clear my point of view to my brother zamindars of the Agra province. They have already accepted two wise amendments—one yesterday and the other this morning. If they will also accept this one it will tend to increase the membership of their association. After all, the object of the Bill is to get regular contributions from the members. That object will be served. Now it is for you, the zamindars of the Agra province, to make it as convenient as possible, because the realization will be made from you. If you give three months' time it will be in the interests of your own community and you can say to possible applicants that you have made the rules as easy as possible and that there will be no hardship to them, they can pay their subscription within three months of their own accord, and if not paid by that time it will be realized by Government in the usual course. There will, therefore, be no chance of arrears. You can also say to them that we have also accepted an amendment by which the heirs and successors will get a chance for one year to think over the matter. So these amendments are in favour of the zamindars of Agra themselves and they will help to increase the membership and it will help them to face the arguments of those who are opposed to this Bill. Under these circumstances I would request

and appeal to them to accept this amendment also. This is not at all detrimental to the Bill and is in the interests of the zamindars.

Rai Bahadur Chaudhri Jagannath Prasad : I oppose this amendment. I think it will do away with the whole provisions of the Bill. (Lala Mathura Prasad Mehrotra—why ?) Have patience and I will tell you. It means that in every case when the subscription is not paid there should be an inquiry whether the failure has been voluntary or involuntary. Any person who does not like to pay will for the slightest reason have a chance of pleading this amendment, if it is passed. In every case objections will have to be heard and evidence recorded, and then the subscription can be recovered as Government revenue. And therefore I think it will defeat the provision of the whole Bill and I therefore oppose it. Among the taluqdars they have not got any such provision to protect them. Another point raised is that it is not clear whether it will be taken in instalments or in one lump sum. The honourable mover of this amendment has been pleased to suggest that it should be left to their convenience, that is they should be allowed the whole year whether to pay or not to pay. To my mind it is a very strange proposition to set up. Certainly to my mind the subscription will be paid according to the instalments of Government revenue, because when a thing is made payable along with Government revenue I think the proportion will be the same. I therefore oppose the amendment.

Pandit Bhagwat Narayan Bhargava : In order to meet the wishes of the honourable member in charge of the Bill I want to move an amendment to the amendment before the House. I move that the word "voluntarily" be omitted. As far as I can understand, my friend when he opposed the amendment raised objection to the word "voluntarily" because he thought an inquiry would have to be instituted whether the amounts were not being paid voluntarily or involuntarily. Therefore I move that the word "voluntarily" be deleted. Then I should think he will have no objection to the amendment. Two other remarks made were made by him under some misapprehension. He said that the mover of the amendment wanted that the subscription should remain unpaid all the year round. That is not the object of the amendment. The mover simply wants to give three months' time, and if after three months they do not pay, then coercive processes can be issued against the defaulter. It is known to every member of the House that even Government in realizing land revenue gives time to the zamindar. They do not issue processes and distress or arrest warrants just after the date on which the revenue falls due. They give also two or three months before processes are issued. And therefore it is not inconsistent with the existing policy of the Government in the matter of realization of land revenue. Therefore, I think that now the amendment of my friend to the right will be accepted.

Khan Bahadur Mr. Masud-ul-Hasan : I move the closure.

The Hon'ble the President : It cannot be accepted now.

Pandit Venkatesh Narayan Tivary : We have been noticing with interest not unmixed with amusement the anxiety of certain members of this House to move the closure as soon as an amendment is put forward. May I suggest to them that in the House of Commons they have invented . . .

The Hon'ble Sir Sam O'Donnell : Is it in order, Sir, to discuss this point ? You have ruled that the closure cannot be put. But the honourable member is not discussing the amendment, but he is discussing the propriety of moving the closure.

The Hon'ble the President : I hope the honourable member will not develop this point.

Pandit Venkatesh Narayan Tivary : I am not developing it. I am only referring to it.

As I was saying, their object would have been served better if they had moved that the Bill be passed *in toto*.

Having said this, I will now pass on to the discussion of the amendment moved by my honourable friend the member for Bijnor. The amendment has been moved with the object of giving an opportunity to the members of the association to pay up their subscriptions if they so desire, and a period of three months has been allowed to them to do so. In case they have not done so within a period of three months, it will be open to the district officers to realize the subscriptions of the association under the provisions of the Land Revenue Act. I do not understand, Sir, the keen anxiety of the supporters of the Bill to tar with the same brush all the members of their association. If there are defaulters, apply to them by all means, if it is so desired, the coercive processes under the Land Revenue Act. But I believe a large number of members realize the responsibilities which they have incurred by joining the association, and I hope a very large number of them will pay up the subscriptions. The leader of the Swaraj Party asked for the figures showing the percentage of members of the association who have not been regular in the payment of their subscriptions. If these figures had been placed before the House we would have been in a position to know if a very large percentage of members of the Association are or not in the habit of paying up their subscriptions in time. But I assume that, with the devotion which is characteristic or should be characteristic of the members who join any association, they would be regular in the payment of their subscriptions. I see no difficulty in accepting this amendment. My friend the honourable member for Unao has pointed out certain difficulties. I inquired from another distinguished legal luminary to my left if the 'legal objections raised by the honourable member for Unao were well-founded. I understand from what he has told me that the legal objections were not well-founded. I am, therefore, still in the dark as to why this amendment of my friend from Bijnor is being opposed. If you do not accept this amendment, you will be proclaiming to the world that in your opinion the members of the association cannot be trusted to pay up their subscriptions in time. We are anxious that no such reflection should be cast on the majority of the members of the association. I therefore, still hope and trust that it will be possible for the promoters of the Bill to accept this most reasonable of amendments and not to oppose it.

Khan Bahadur Maulvi Fasih-ud-din : I rise to speak on this occasion simply because I find there seems to be some misunderstanding on this particular matter. The object of our friends is evidently this, that three months' time should be allowed to the defaulters for the payment of their contribution before the system of the realization of the land revenue is applied to them. Our friends forget that the system of the

instalments of land revenue is prevalent in these provinces and that differs from one district to another. They probably forget that it is the settlement officer who fixes the amount of the instalment and their frequency at the time of each settlement, and this decision of his depends on the convenience of the zamindars of that particular district. For instance, in one district there may be four instalments, in another there may be two instalments and in another three, and so on. And then the nature of the instalments is such that in some districts they are equal and in other districts they are unequal. It is for this reason if three months' period is allotted to every defaulter of contribution it will be physically impossible to subsequently realize these contributions in every district at the same time when the instalment of land revenue is realized. Again, our friends also forget that one is not bound to pay up his land revenue when any intermediate instalment is due. There is a very large number of our zamindars who pay their land revenue half-yearly in spite of the fact that instalments are quarterly, and the Collector oftener than not leaves this matter to their convenience. I would suggest that the objection of the honourable mover of this amendment would be removed if any individual contributor pays his contribution three months after the land revenue instalment falls due. It is, in fact, for the convenience of the contributor himself that his contribution should go with the instalment because, when the zamindar already pays ten per cent. over and above the land revenue in the form of cesses, it will not at all be difficult for him to pay four annas per cent. contribution to this association. It will be much easier and much more convenient for him to do so. I think it is not necessary for any of us to introduce sentimentalism in a matter of this kind—to talk of the prestige of the zamindars suffering on account of this arrangement. He will be perfectly at liberty not to pay a particular instalment so long as he pays up his contribution at the end of the year. It is for this reason I think that this amendment which has been brought forward is neither rational nor ingenuous.

The Hon'ble Sir Sam O'Donnell: Sir, if I intervene in this discussion at this stage it is simply because there is an administrative aspect which is raised by this amendment. Khan Bahadur Maulvi Fasih-ud-din has explained lucidly that the arrangement proposed in the amendment is inconvenient from the point of view of the zamindar. What I wish to point out is that the amendment is inconvenient from the point of view of the administration. The intention of the Bill is that the contribution should be paid along with the land revenue, and it would be very inconvenient to the tahsil staff if there were a separate procedure for the collection of this contribution from that which is followed in the case of the land revenue. It would add extra work to the tahsil staff, and it would complicate the tahsil accounts, and from this point of view I think that this amendment is certainly undesirable.

Raja Shambhu Dayal:

جناب صدر —

چار دن سے برابر اس بل پر discussion ہو رہا ہے اور یہ کہ
اس قدر طویل کر دیا گیا ہے کہ یہ شیطانی کی آنت بن گیا ہے۔ اگر اس کو
جان لیوا بل کہا جائے تو بیجا نہ ہوگا۔

ملک الموت کو ضد ہے کہ میں جان لے کے ٹلوں

اُس طرف ضد ہے مسیحا کو میری بات رہے

[Raja Shambhu Dayal.]

نہ یہہ ایسا سوال ہی کہ محرک کو اس پر ضد کرنا چاہیئے اور نہ یہہ ایسا سوال ہی کہ اس پر خواہ مخواہ اصرار کیا جائے - قاضی کاہے کو دہلے شہر کے اندیشے سے - بل کو دیکھنے سے بظاہر یہہ معلوم ہوتا ہی کہ یہہ بل پانچ ہزار کے اوپر مالگذاری ادا کرنے والوں کے لیئے ہوگا تو اُس کی ادائیگی ایسی مشکل نہ ہوگی کہ اُس کی تسطیں بنائی جائیں - اس کی ایسی صورت نہیں ہوگی کہ یہہ ادا نہ ہو سکے - دوسری بات جس پر میں حضور کی توجہ دلانا چاہتا ہوں وہ یہہ ہی کہ اب کونسل کا وقت بڑھنے نہ دینا چاہیئے - کل ایک دن بڑھ گیا کل overtime ہو گیا - بہت سے لوگ ڈیوڑھے الاؤنس کے خواستگار ہیں اور اگر ڈیوڑھا الاؤنس اُن کو نہ بھی ملا تو آج کا الاؤنس فضول چلا جائیگا اور ممکن ہی کہ کل پرسوں برسوں تک discussion جاری رہے تو لوگ اور الاؤنس کے خواستگار ہونگے اور اس طرح پبلک کا رویہ بدہاں ہوگا - گھر میں لوگ انتظار کرتے ہونگے کہ ۲۱ کو کونسل ختم ہوگئی ہوگی - لوگ واپس آتے ہونگے مگر یہاں کی حالت یہہ ہی کہ کونسل بڑھتی جا رہی ہی - آخر میں حضور سے میری گزارش ہی کہ کونسل کو زیادہ time تقریر کا نہ دیا جائے اور میمبر صاحبان سے بھی میری استدعا ہی کہ وہ لوگ بھی زیادہ time نہ لیں سانپ نکل گیا لکیر باقی ہی - بل تو پاس ہو ہی جائیگا مباحثوں کو زیادہ طول کرنا فضول ہی *

Raja Jagannath Bakhsh Singh : I am sure my friend Rai Bahadur Lala Mathura Prasad Mehrotra, or any other speaker who spoke in favour of the amendment, was not actuated by a feeling of hostility towards this clause.

It was stated that a similar section does not find place in the Taluqdars' Act, but it was apparently forgotten that that Act was passed into law after the institution had worked for about sixty years. I may inform the House that in the beginning there used to be a not inconsiderable number of persons who were in arrears with their contribution to the anjuman, but never was such a step taken. After the anjuman had worked for well over fifty years, naturally the taluqdars became accustomed to the payment of their contribution with the land revenue: consequently necessity for such a provision was not felt. In the case of the province of Agra, the number of members of this association is not very large, while the number yet to be enrolled is not a small one, and consequently some provision of this nature is essential, at least in the beginning. It is feared that in the absence of any such provision, this section may be abused in regard to those zamindars who may happen to come in arrears unintentionally. The point raised by the Hon'ble the Finance Member that the amendment, if made, would give rise to administrative difficulties does not hold good, because when in the case of Oudh under the agreement system arrears of contributions to the anjuman were realized without difficulty from the taluqdars for well over sixty years, there is no reason to suppose that difficulties would arise in the sister province of Agra if this amendment is made. I think, therefore, that it would be reasonable to insert a provision like this in the Bill. With these words I support the amendment.

Chaudhri Dharamvir Singh : When the honourable member for Unao stood up to reply to this amendment, I thought our position was like that of an audience eager to hear what falls from the lips of a king. He is the hero of the Bill; he is the king of the Bill, and just as the king does not act according to his own thoughts but on the advice of others, so also my friend acts not according to what he thinks but on the advice of others, and consequently he did not find it possible to grant this small concession. The speech which he made on the first amendment moved by the honourable member for Bijnor made me think that he would extend similar generosity to the Council in respect of this amendment too, but our hopes were belied. Before proceeding further I should like to reply to certain arguments advanced by the promoters of the Bill. Our friend the author of the Bill has objected to the word "voluntary." Sir, it seems to me from the discussions that have taken place in connexion with this Bill for the last two days that to the promoters of the Bill the word "voluntary" is like a red rag to a bull. They want everything to be done by compulsion, by the iron hand of the law, by rigid rules and regulations and according to the convenience of the administration, and they do not want any feelings of right sentiments to come in. One of my honourable friends was pleased to say that sentimentalism should not be allowed to enter into the consideration of the Bill. I beg to say in reply that this world is based upon sentiments. It is the right sentiments on which the work of God is based. The heart which is the basis of all actions of man and in which God resides is a store house of sentiments and the mind comes later. If this Bill is to take any beneficent shape and if we are to prove worthy of this Council and of those who have elected us, it is our business to see that right sentiments should find themselves expressed in the language and the intentions of this Bill. Why does the honourable member for Unao object to the word "voluntary"? Does he mean to say that he will not allow anybody to have his freedom? Does he mean to say that for the sake of administrative convenience the elementary right of freedom should be denied to the members of this association? After all, for what does the association stand? It stands to do something good. Here are the aims and objects of the association. I will not read them again as they have been read here so many times. They are all very laudable. In order that the association should work successfully, it is necessary that the willing co-operation of its members should be forthcoming. If that willing co-operation does not come forward, there is no use in making laws for the success of the association. After all, we are not going to deal with wooden things, but with men. The Hon'ble the Finance Member has been pleased to say that it will be convenient for the administration to realize the subscription along with the land revenue, and that if the amendment of my honourable friend the member for Bijnor is accepted, it will create administrative difficulties. To this I would say that we should take the example from England, the country to the neighbourhood of which he has the honour to belong. The King of England is the defender of the liberties of the people: the King and his administration stand for defending the rights and privileges of the English people. He never stands for convenience. The word "convenience" never finds expression in the constitution of England.

Khan Bahadur Maulvi Fasih-ud-din : Is the honourable member in order?

The Hon'ble the President : He is conveniently arguing his point.

Chaudhri Dharamvir Singh : What I was saying was that when we are enacting laws, which are to be for a very, very long time and are not only in the nature of passing things, we should take the basic principles upon which the constitution stands. After all, what do the officials stand for, why do we appoint them and why do we pay so much for the machinery of the Government of which they form a part? What is the basic principle of this? The principle is not convenience, but the defending of the rights and privileges of citizens. We should require our administration to act from this point of view and not from the point of view of convenience. It is not for the convenience of the administration that we appoint officials. It is for our own convenience that we appoint them and so convenience is not to be looked at from the point of view of the administration, but from the point of view of the people. The officers have no right to say that such and such thing is not convenient to them and therefore it should not be required of them to do it. If it is inconvenient to them to do a thing which the people of the country want them to do they can resign and there are others who can take their places. If the present officers of the Government resign, Sir, I can give a number of people who will take their places. I think I have sufficiently put before the House my case that it should be more for the freedom of an individual than convenience of the administration that we should frame laws. It is very ridiculous to find subscription being knotted together with land revenue. Subscription generally is paid monthly everywhere. Land revenue, as my friend Khan Bahadur Maulvi Fasih-ud-din was pleased to say, is paid either yearly or in instalments which are fixed by the settlement officer. I think I am correct. There seems to be no reason why such an innocent thing as subscription to an organization should be married with land revenue. Sir, in physics I remember a certain instrument which was made of two metals. Its purpose was to show that one metal may expand more than the other—an incongruous composition, an incongruous combination, and it is the same combination that I find in this Bill. Generally every organization has got employees and it is necessary to pay them monthly. I do not think how it will be convenient for the association to properly manage its affairs if the money is realized along with the land revenue. It would have been best if the rule had been that members were to pay their subscription monthly, but as it is it was not to be. The framers of the Bill and their helpers being in the majority they may carry whatever they like. They do not wish to have the least regard for our sentiments or for our suggestions. Anyhow, if three months' grace is given to an individual defaulter, will it upset the whole arrangement of the association? Will not then the associationists be able to train their children in an atmosphere of healthy education in order to make them loyal subjects of His Majesty the King-Emperor? And if it is so, I challenge that the association has or must have done nothing so far, because up till now subscriptions were voluntary, and if voluntary subscriptions are so wretched things and so mischievous, how has the association worked up till now? But it seems to me that the association has done at least something tangible because we have got so many supporters for it. Therefore the arrangement of paying subscriptions

voluntarily has not been altogether in vain. It has certainly produced some effect. If such a result has been achieved up till now by voluntary subscription, there seems to be no reason why three months' grace should not be allowed for a defaulter to pay his subscription voluntarily. After all three days' grace is allowed even in the reckoning of the period after which bills-of-exchange become legally due. My honourable friend Raja Shambhu Dayal Ji said that the Bill contained only a few lines and it was very much surprising to him how so much trouble was created over a few lines.

The Hon'ble the President : That is not the point at issue now.

Chaudhri Dharamvir Singh : Then, Sir, with your permission, I should like to reply to one point which he made and which I think needs a reply. He said that, as a qazi became lean and thin on account of the care of the city, so had we. This remark we have taken seriously and I think that some answer should be given to it. I may inform my honourable friend for his benefit that we have come here not for the care of one city, or two cities, or three or four cities, but for the care of a big number of cities. Not only for cities but also for rural areas. This remark of his cannot be applied to us members of this House and I hope that he will be kind enough to be more careful in future and not say such things again. It is not because we consider that zamindars are something external to us like the city to a qazi perhaps but because we believe that we are one with the zamindars. The zamindars are part and parcel of us. I may inform my friend that most of us who are opposing the Bill are zamindars. I myself am a zamindar, although I do not pay land revenue in thousands but only in hundreds. All the same I am a zamindar and there is no reason why I should not stand and support beneficial and well-meaning clauses if they are found to be in the interest of the zamindars. The reason why we are taking this attitude towards this Bill is not so much because the Bill has to do with zamindars, but because in accepting it without the amendment we are committing ourselves to a mischievous principle. The Bill is based upon a principle of dependence, upon a principle of slavery and serfdom, and not of freedom and liberty. It is on account of that mischievous principle that we are putting up such a strong fight over this Bill, because if the clause is not amended as it is proposed to be amended the liberty of our people is at risk. It is no question of things in the Bill being small or great. If my friend Raja Shambhu Dayal Sahib would sit in a corner and give his best thought to the question, he would find that what we are doing we are doing with a view to safeguard the liberties of the people of this province and by implication the liberties of the whole of India, nay, the liberties of the whole world so far as the particular principle is concerned. Therefore, Sir, there should be no misapprehension in this House on the point that my friend was pleased to raise.

My honourable friends who have spoken in support of the retention of the original clause of the Bill and in opposition to the amendment have done so, not on sentimental grounds of which they accused us, but on administrative and other considerations.

The Hon'ble the President : Will the honourable member now come to the amendment.

Chaudhri Dharamvir Singh: So far as the amendment itself is concerned, I put it before the House and request my honourable friends to look at it dispassionately and not from the view-point of convenience or from the view-point of officials. It should be looked at simply from this point of view, that it is a very innocent amendment. It only gives option to a defaulter to pay up his contribution within three months of grace. We have already seen how irregular people are in paying subscriptions. If the association had engaged an officer, say on Rs. 80 or 90, and if he had gone to these members who were in arrears, I do not think any zamindar would have refused to pay up his arrears. The big zamindars give so much subscription to every X, Y and Z who goes to them. Will they not give subscription to their own association voluntarily if they are approached in a proper way? But, Sir, as it is, no efforts have been made in this direction and even now my friends propose that the right to pay their debt of honour be denied to them. According to their faith, let no one act because of moral considerations, let no one act because he wants to do it or because it is his duty to do so. The position they have adopted is this that everyone should act because he is forced to do so at the point of dagger.

The Hon'ble the President: We have had that argument more than once. I hope the honourable member will now come to a finish.

Chaudhri Dharamvir Singh: With these few words I put the amendment before the House and request that everyone in this House will give his best thoughts to it, before voting takes place.

Khan Bahadur Mr. Masud-ul-Hasan: I move for the closure.

The question, that the question be now put, was put and the House divided as below:—

Ayes, 51; Nocs. 13.

Ayes.

Abdul Bari, Mr. Muhammad.
 Abdul Qayum, Haji.
 Ahmad Sa'id Khan, The Hon'ble Lieut. Nawaab Muhammad.
 Ahmad Shah, Mr. E.
 Badre Alam, Khan Bahadur Shah.
 Baird, Colonel R. F.
 Bikram Singh, Thakur.
 Bisheshwar Dayal Seth, Kunwar.
 Blunt, Mr. E. A. H.
 Channer, Mr. F. F. R.
 Clarke, Mr. G.
 Darwin, Mr. J. H.
 Dodd, Mr. R. J. S.
 Elliott, Sir Ivo.
 Fasih-ud-din, Khan Bahadur Maulvi.
 Fazl-ur-Rahman Khan, Khan Bahadur Maulvi Muhammad.
 Ghulam Husain, Shaikh.
 Hanumat Prasad Singh, Bhaya.
 Hidayat Husain, Khan Bahadur Hafiz.
 Jackson, Mr. St. George H. S.
 Jafer Husain, Khan Bahadur Saiyid.
 Jagannath Prasad, Rai Bahadur Chaudhri.
 Jagdish Prasad, Kunwar.
 Jamshed Ali Khan, Lieut. Nawab Muhammad.
 Kishori Prasad, Babu.

Kushal Pal Singh, Raja.
 Lane, Mr. H. A.
 Liaqat Ali Khan, Nawabzada Muhammad.
 Mackenzie, Mr. A. H.
 Mahbub Ali Khan, Khan Bahadur Hakim.
 Masud-ul-Hasan, Khan Bahadur Mr.
 McNair, Mr. A. W.
 Mohan Lal, Rai Bahadur Babu.
 Muhammad Habib, Mr.
 Muhammad Sajjad Ali Khan, Mirza.
 Muhammad Yusuf, The Hon'ble Nawab.
 Nihal Singh, Sardar.
 Norton, Mr. E. L.
 Obaid-ur-Rahman Khan, Maulvi Muhammad.
 O'Donnell, The Hon'ble Sir Sam.
 Panna Lal, Mr.
 Pim, Mr. A. W.
 Pratap Bhan Singh, Thakur.
 Rajendra Singh, The Hon'ble Thakur.
 Rajeshwar Bali, The Hon'ble Rai.
 Saiyid Muhammad *alias* Maiku Mian, Khan Bahadur.
 Shambhu Dayal, Raja.
 Shyam Lal, Babu.
 Wajid Husain, Khan Bahadur Chaudhri.
 Yorke, Mr. R. L.
 Zia-ul-Haq, Khan Bahadur Shaikh.

Noes.

Badri Dutt Pande, Pandit.
Bhagwat Narayan Bhargava, Pandit.
Brijnandan Prasad Misra, Pandit.
Devata Prasad, Pandit.
Dharamvir Singh, Chaudhri.
Manak Singh, Thakur.
Manjit Singh Rathor, Thakur.

Mulchand Dube, Pandit.
Nemi Saran, Lala.
Rahas Bihari Tiwari, Pandit.
Sadayatan Pande, Pandit Shri.
Venkatesh Narayan Tiwary, Pandit.
Zahur-ud-din, Maulvi.

The Hon'ble the President: I may announce that His Excellency the Governor is coming to address the House at 12'30.

Lala Nemi Saran : Whatever may be said and whatever may be the opinion of this House regarding the convenience of the members of the association which this amendment provides, there is one thing certain that this amendment has inconvenienced the Hon'ble the Finance Member who for once during the debates on this Bill had got to be on his feet.

First, I would deal with the objection of the Hon'ble the Finance Member. The Finance Member has raised an objection because of the inconvenience which it would entail upon administrative subordinates of the Government. Something about it has been said by my friend Chaudhri Dharamvir Singh, but I have got to add one thing. If the Government is going to inconvenience its high officials by prolonging the Council one day after another in order to accommodate the zamindars, would it not be also advisable for the Government to accommodate the zamindars in this case too, though it might inconvenience its subordinates to a certain extent? Secondly, I do not see much force in the argument of this inconvenience. My amendment says that a certain time, say three months, should be allowed to the members of this association before any coercive process or any process laid down in the Land Revenue Act should be used against the defaulter. If it be so arranged that it may be notified that the contribution shall be payable once in a year or twice, instead of in different instalments in which the revenue is payable, then it will be very easy for the revenue collectors to find out whether such a contribution has been paid within the time of grace which is allowed to them. If, however, it is found that any one of them is still defaulting, then it will be quite open to the revenue collector to issue a process against him. It is, as has been admitted, not generally that coercive processes are issued in the very beginning; there have been cases in which tahsildars waited, not only for three months but for six months and even longer to accommodate certain zamindars, before they issued any process against them for the realization of land revenue. But then it might be argued that it may be left to the discretion of the tahsildar. That is a thing which I want to guard against. I know that if the tahsildars do so wish, they would accommodate certain zamindars regarding the payment of this money, but if the tahsildars in certain particular cases do not want to be so accommodating, then what would be the result of it? My main objection to the clause without this amendment is that you are giving a power to the tahsildar which ought not to be there and which ought not to be given to him. Therefore as far as the argument of inconvenience is concerned, even if there be some sense in it, at least it is not one which cannot be surmounted.

Sir, we are said to be prolonging this Bill; I do not plead guilty to it. I may finish this point by one sentence, that had this Bill been allowed

[Lala Nemi Saran.]

by the courtesy of the Government and the members forming a majority here to be referred to a Select Committee, this trouble would not have arisen and therefore if there is any fault in respect of the trouble that the House now undergoes, it lies, not with us, but with the members sitting opposite and on the cross-benches.

Khan Bahadur Maulvi Fasih-ud-din has tried to refute my arguments by saying that it is not always that revenue is collected at regular intervals and that although the rule may be such, but it is not strictly adhered to by the revenue collectors. Quite so. I also heard that at the end of his speech he said something which meant to my mind at least that this contribution payable under this Bill should be payable annually and that the zamindars would be . . .

Khan Bahadur Maulvi Fasih-ud-din: I did not say so.

Lala Nemi Saran: I am sorry that I misheard it, but if it is not so, then my argument . . .

Khan Bahadur Maulvi Fasih-ud-din: May I explain? I simply said that one could pay his land revenue also if he chose to do so in two instalments in spite of the fact that there may be four instalments, but he must pay it up at the end of the year. This is what the Collector would insist upon.

Lala Nemi Saran: As far as that statement is correct, I have already dealt with it that it is after all absolutely on the sweet will of the Collector; it is not a matter of right to the member paying the revenue. I wish by this amendment to give a right to the member who is liable to pay that contribution that he should have some time before any process should be issued against him for its realization. My argument is still unanswered, viz., that it is not clear to this House whether the framers of this Bill want that the contribution shall be payable by instalments or annually, according either to the wish of the Government or the wish of the contributor. Therefore, with all these things before us and when we are not sure what may be the interpretation put by the revenue collectors on the instalments by which the money will be paid, it is but fair that we must give a little time—and I think three months is not a very long time—by which every zamindar may see that he is up to date in his payment and if he defaults, then only a process should be issued against him. With these words I again commend my amendment to the House.

The Hon'ble the President: The amendment moved was that between the word "Act" and the word "shall" the following words be inserted:—"who may not have paid his contribution voluntarily within three months after it has become due" since when an amendment has been moved that the word "voluntarily" be deleted from there.

Question, that the word "voluntarily" be omitted from the amendment, put and negatived.

The motion that the proposed insertion be made was put and the Hon'ble the President declared it lost, on which an honourable member challenged a division.

The Hon'ble the President held a division by asking the members to stand up in their places. The following sixteen members stood up

for the amendment, other following five remained neutral, and more than forty stood against the amendment :—

For the amendment.

Badri Dutt Pande, Pandit.
Bhagwat Narayan Bhargava, Pandit.
Brijuandan Prasad Misra, Pandit
Devata Prasad, Pandit
Dharamvir Singh, Chaudhri.
Gulab Singh, Thakur.
Hanuman Singh, Rai Bahadur Thakur.
Jagannath Bakhsh Singh, Raja.
Jagdish Prasad, Rai Bahadur Lala.
Manjit Singh Rathor, Thakur.
Mithura Prasad Mehrotra, Rai Bahadur
Lala
Mul Chand Dube, Pandit.
Nemi Saran, Lalt.
Rahas Bibari Tiwari, Pandit
Shiva Shankar Singh, Thakur.
Venkatesh Narayan Tiwari, Pandit.

Neutral.

Indrajit Pratab Bahadur Sahi, Raja.
Kali Charan Misra, Lieut. Raja.
Kavendra Narayan Singh, Babu.
Mukandi Lal, Mr.
Sadayatan Pande, Pandit Shri.

Lala Nemi Saran : No division bell was struck before this division was taken.

The Hon'ble the President : It was for a short time, before I decided to hold the division in this manner. Does the honourable member contend that anyone of his friends could not come in and indicate his vote ?

Lala Nemi Saran : It might be so.

The Hon'ble the President : I do not think so, judging from the result of the division held in the usual manner only a few minutes ago. But if even ten friends of the honourable member were out, it would not have affected the result at all.

Lala Nemi Saran : I want to know if the names of the members who stood up will be taken down.

The Hon'ble the President : I will think about that point. Mr. Mul Chand Dube says that he has a consequential amendment at the end of clause 5 which is necessitated by the amendment of Lala Nemi Saran a short while ago. Will the honourable member please read it to the House first ?

Pandit Mul Chand Dube : The amendment I propose is that the full-stop at the end of the clause be substituted by a comma, and the following words be added : " Except that the defaulter shall not be liable to be arrested for the recovery of such arrears of contribution."

The Hon'ble the President : Is there any objection to this being moved ?

No objection having been taken, Mr. Dube was allowed to proceed.

Pandit Mul Chand Dube : I beg to move this amendment in spite of he feeling of resentment felt and even given expression to by some of he honourable members who are supporting the Bill at the interference which they think is being offered by us non-zamindars.

The Hon'ble the President : The honourable member may resume his speech afterwards. His Excellency has arrived.

At 12.30 o'clock His Excellency the Governor arrived at the Council House and, proceeding to the dais, addressed the Council in the following words:—

Mr. President and honourable members of the Legislative Council,—

It seems to me only the other day that I came to this Council Chamber just after I had assumed office, and now I am come again to say goodbye.

I said then that I hoped that even if we should not always see eye to eye with one another in everything, the relations between the Council and my Government would always be courteous and friendly. May I say now how glad I am to feel that the aspiration has been fulfilled? I realize that that happy result is due generally to the goodwill which the Council as a whole has shown towards the Executive: its sense of fair-play, its reluctance to push opinions always to extremities, and its willingness to realize that there may be something to be said on the other side of the question. But inasmuch as the interests of the Executive and the Legislature cannot always be identical, and there must be occasions when each is firmly persuaded that it is right, it does become of great importance that avoidable friction and heat should not be engendered at the particular points where they make contact most clearly. All other honourable members will, therefore, I am sure, not grudge my giving special tribute to the two personalities which have been most immediately concerned in preserving happy relations. The one is the Leader of the House, the Hon'ble the Finance Member, who is in his seat for almost the last time today, and whose departure will leave a void in Council which indeed it will not be easy to fill. I have heard many honourable members of this Council bear personal testimony to the skill, tact, and patience which Sir Sam O'Donnell has invariably shown, and to the marked effect which his great parliamentary gifts have had upon the course of debates. The other personality is that of the Hon'ble Rai Bahadur Lala Sita Ram, your President. In addressing the last Council in April, 1925, I begged honourable members to elect for the responsible, indeed the critical, office of President the man who in their conviction was most capable of sustaining and developing the traditions, which Mr. Keane had so successfully inaugurated, of dignity, courtesy, and reason. I have seen for myself, when reading your proceedings, and I have heard from many honourable members, official and non-official alike, how worthily the Hon'ble Lala Sita Ram has justified his election. He too has shown himself capable of maintaining order, of delivering prompt, clear, and impartial decisions, and of so presiding over the business of the Legislature as to preserve its dignity and to develop parliamentary aptitude. As this is my last opportunity of doing so, I should like to congratulate him and to thank him for having done a great public service.

Gentlemen, I have to thank you for voting supplies for the year which is now running out and for giving much time and thought to various important public questions. You have still two years of life before you. I hope that they may be very fruitful years. During that time you will have to take at least one very important decision: the decision whether to appoint a Select Committee of this Legislature to

assist in the inquiry which the Statutory Commission is to make. It is impossible for me to take my final leave of you without saying a word to you about that, although the matter is one on which opinion is divided. You all know how feeling has been aroused by the decision to make the Commission a purely Parliamentary body, and not a mixed Commission including representatives of the varied interests in India, a Commission of the ordinary type with which India has grown familiar. The composition of the Commission is the point on which public attention in this country has temporarily been concentrated to the exclusion of almost every other consideration—however important. I think that that is much to be regretted. I hope that I can understand and sympathize with the widespread disappointment felt about it. I cannot understand the charges of ill-faith and cynicism which are hurtling through the air, except indeed by remembering that when men are excited they do not reason clearly. Surely Parliament's decision, whether we may like it or not, is intelligible and can be explained on logical grounds without any necessity for seeking unworthy motives. There is not a shadow of a reason for supposing that the Commission is a packed body coming out with a mandate to find this or that. The Home Government have given the best possible proof of their sincerity by selecting as Chairman a statesman, not of their own school of thought, whose outstanding ability and independence of character is universally acknowledged. To imagine that His Majesty's Ministers are acting out of Machiavellian guile is a feverish fantasy. Indian leaders of repute who say such things make me think of Shakespeare's saying: "You do unbend your noble strength, to think so brainsickly of things." The Commissioners are honourable and independent men, picked on account of those qualities to undertake a very difficult task in which they will need every possible assistance. It is open to India to help or to hinder them. And as India chooses between those alternatives, so will her good sense and her practical fitness to play the part to which she aspires be appraised by the judgement not of the British Parliament alone, but of the whole civilized world.

You may all have seen how a prominent Home statesman, whose sympathy with Indian aspirations is beyond question, has said that no one is standing at the present moment more directly in the way of the realization of self-government for India than those people, however patriotic and honourable their intentions who are advocating a boycott of the Parliamentary Commission. There is a weighty saying: "Securus judicat orbis terrarum." If India's people show that they can rise superior to the emotions of the moment, the world will think the better of them; but if it is apparent that they wholly misconceive the realities of the situation, I fear the magnitude of their error must count heavily against them.

When the time comes, therefore, for this Legislature to take its decision about electing a committee, I hope that honourable members will ask themselves certain questions. How can they expect to serve their country's cause by refusing to deal with the Commissioners for Parliament? It is certain that such refusal will not fatally obstruct or hamper the inquiry which in any case will go on: it is certain that refusal means losing an opportunity of bringing advanced opinion in these provinces to bear upon the Commission in the most effective and representative manner; and to my mind it is also certain that if the

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United Provinces Council does make the great refusal it will suffer in the estimation of all coolly-judging people. It is one of the surest signs of parliamentary growth when representative bodies are moved by reason rather than by feeling. Anyone can understand an audience of untrained listeners being swept off their feet by a popular speaker's appeal to their emotions. But members of the Legislature are elected or nominated because of their believed capacity to deal with public matters. And anyone versed in public life recognizes in his normal moments that there are always arguments on both sides of every question and that no one can always have things exactly as he likes; or in other words, politics is the science of the second-best; and the wise man is not he who turns his back on an opportunity which he thinks disappointing, but he who philosophically and resolutely goes to work to get what he can out of it. When the hour comes for the Legislative Council of the United Provinces to take its decision, I hope it will take it in a hard-headed, long-sighted, and perfectly dispassionate manner; that it will elect its ablest members to the committee; and that they draw up a well-founded and closely-reasoned statement of their views which will command respect and admiration.

Now let me conclude on a purely non-controversial note. Mr. President and Gentlemen, you or some of you have had seven long years' experience of legislative work in what must be one of the most unsuitable Legislative buildings in the world. I congratulate you all on the endurance and patience which you have shown. Your new and imposing Council House will be ready to receive you when you re-assemble. I am sure that you will be comfortable there, and will appreciate many new amenities and aids to the transaction of business. My successor will have the honour of opening the new Council House. It is right that the new legislative building should begin life with a new and not a moribund Governor; and in particular a Governor like Sir Alexander Muddiman who can find his way about every nook and cranny of the Government of India Act even in the dark, and whose experience as President of the Council of State will make him a sympathetic and knowledgeable observer of your own legislative doings. I am sure that his relations and his Government's relations with the Legislative Council will be very happy, and that both will work successfully, and, I hope, with better financial prospects than my Government have enjoyed, for the well being of the United Provinces. And now, Mr. President and Gentlemen, I wish you regrettably farewell.

His Excellency then left Council House.

Pandit Mul Chand Dube (continuing): I do not see why the zamindars of Agra have so set their heads on this measure and are so enamoured of it that they have lost the power of clear reasoning. They are blind to its defects and refuse to see its defects and refuse to take into account the shortcomings that have been pointed out by the honourable members of this House in the various amendments that have been moved to this Bill. So far as the present amendment is concerned, a proviso has already been added to clause 4 of the Bill which lays down that the contribution shall not be recovered by arrest, which is one of the coercive measures in the Land Revenue Act, but that proviso will be ineffective and valueless unless this amendment is also provided in clause 5 of the Bill, because that is the clause which deals with the coercive processes to be employed in the case

of a default in the payment of contribution, and, therefore, I submit that this amendment is very necessary and the amendment to clause 4 has been accepted and so this is merely a consequential amendment. I do not think it is necessary to say much as regards the merits of this amendment and I hope that the honourable member in charge of the Bill will be pleased to accept this amendment.

Thakur Manjit Singh Rathor : The amendment before the House is a very reasonable one. As all the honourable members are aware, the contributions that have got to be made are accepted to be, or are supposed to be, in the nature of voluntary contributions, and since the association has been unsuccessful in getting those contributions collected they want to legalize the contribution and realize it by the help of law. Therefore, if the House passes an amendment to say that those who have failed to make contribution to the association should not be expected to undergo the indignity, and to suffer the insults of being subjected to arrest, I think the amendment of Mr. Mul Chand is very reasonable. Those members of the House who think that the amendment wants too much, I think if they just try to understand how much indignity, how much insult arrest means, I think that they will realize the necessity for this amendment.

The Hon'ble the President : This seems to be only a consequential amendment and does not need very long arguments to support it.

Thakur Manjit Singh Rathor : Since it is a consequential amendment I will sit down after saying simply that when the Bill provides that members cannot resign and must pay their subscriptions and if there is a member who decides, after the fashion of Hampden who refused to pay one shilling, not because it would have made him poor, but for the sake of his conscience, then if a member decides not to pay, he will, without some such amendment, be subject to arrest. There are other methods of taking money and I think arrest should not be permitted. I think all members will agree that the amendment is a sound one.

Rai Bahadur Babu Mohan Lal : We have added a proviso to clause 4 whereby a contribution will not be realizable by the arrest of the person liable to pay it. When we have accepted that amendment, when we have added that proviso to clause 4, this amendment is quite unnecessary. On this ground I oppose it.

Lala Nemi Saran : I was rather surprised, Sir, at the attitude of the honourable member who has just spoken. I never dreamt, when this amendment was allowed to be moved in spite of the fact that no two clear days' notice was given about it, that it would be opposed. I have risen to speak because it is an amendment consequential to the amendment moved by me and carried by the House. I could not understand what the effect will be—whether the defeat of this amendment would mean that the House does not want that such a proviso should be there and whether the House is against the curtailment of the powers of revenue-collectors in issuing processes for the realization of these contributions. I am not prepared to speak at any length on this matter. I would only request the Government benches to enlighten us on this point whether the defeat of this amendment would counteract the effect of the amendment that has already been carried or whether if it is accepted it would anyhow endanger the basic principles of the Bill which Rai Bahadur Babu Mohan Lal is afraid of. This amendment, so far as

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I could see, was moved only in order to bring clause 5 in consonance with clause 4. If this amendment is not there, I think there may be some trouble in the interpretation of clause 5. I should like this point to be cleared up from any quarter of the House.

Rai Bahadur Lala Jagdish Prasad : I want to make one submission. It appears to me that the amendment of Lala Nemi Saran No. 24A, which has been adopted by the House in respect of clause 4, better fits in in clause 5. But as it has already been added to clause 4 I do not know if it is within the scope of the Legal Remembrancer, when he moves consequential amendments to move that this proviso be added to clause 5 instead. If that could be done I think the difficulty will be removed.

Pandit Mul Chand Dube : Clause 4 reads thus :—"The amount which a person liable to contribute under section 3 of this Act shall contribute shall be calculated at the rate of four annas per hundred rupees of the amount of the land revenue assessment in virtue of which he is qualified under the second schedule of the United Provinces Electoral Rules or such other rules as may for the time being be in force with regard to the qualifications of electors for one of the Agra landholders constituencies." Therefore, clause 4 does not lay down that any coercive process can be employed for the collection of revenue. Coercive processes are laid down in clause 5. The proviso added to clause 4 will not necessarily apply to clause 5. In clause 5 it is laid down—"Every person who is liable to pay a contribution under this Act shall pay such contribution in the manner prescribed by the United Provinces Land Revenue Act, 1901, for the payment of land revenue and any arrears of contribution shall be recovered in the manner prescribed in the said Act for the recovery of arrears of land revenue" When the provisions of the Land Revenue Act for the recovery of land revenue are going to be applied this difficulty will arise. How is exception to be made in the case of a situation which has been provided for by means of this amendment to clause 4? This is the difficulty that is likely to arise, because clause 4 does not lay down any of the coercive processes that may be issued for the realization of that contribution. How is an exception to be made unless you provide by means of an exception to clause 5 that it will not be recoverable by arrest of the person who is a defaulter? When the introduction of this amendment was not opposed by the honourable member in charge of the Bill and when it was allowed to be moved I thought that this reasonable amendment would at least find favour with the honourable member in charge of the Bill. But I am surprised at the opposition that is now being made today and that opposition, I take is on account of a misapprehension. The honourable member in charge of the Bill seems to be under a misapprehension. He seems to think that because the proviso has been added to clause 4 it is not necessary to add it to clause 5 also. My submission is that the suggestion of Rai Bahadur Lala Jagdish Prasad is more proper and if the proviso which has been added to clause 4 is also added to clause 5 the matter will be considerably simplified. The proviso which has been added to clause 4 may not be there. It is unnecessary. It may be added to clause 5. It is absolutely necessary to clause 5 because it has been added to clause 4. If you are not going to add it, how are you going to ask the person who is going to arrest

the defaulter not to do so, because it is definitely laid down in clause 5 that the person will be liable to be arrested. That is one of the processes mentioned in the Land Revenue Act. That difficulty is likely to arise. With these words I again hope that this amendment will be accepted.

The Hon'ble the President : The question is that the following addition be made : " except that the defaulter shall not be liable to be arrested for the recovery of the arrears of contribution " at the end.

The amendment was put and the House divided as below :—

Ayes, 21 ; Noes, 46.

Ayes.

Badri Jutt Pande, Pandit.
Brijnandan Prasad Misra, Pandit.
Devata Prasad, Pandit.
Dharmvir Singh, Chaudhri.
Gulab Singh, Thakur.
Hanuman Singh, Rai Bahadur Thakur.
Manumat Prasad Singh, Bhaya.
Indrajit Pratap Bahadur Sahi, Raja.
Jagdish Prasad, Rai Bahadur Lala.
Kavendra Narayan Singh, Babu.

Manak Singh, Thakur.
Manjit Singh Rathor, Thakur.
Mukand Lal, Mr.
Mulchand Dube, Pandit.
Rahas Bihari Tiwari, Pandit.
Sadayatan Fande, Pandit Shri.
Sadho Singh, Thakur.
Sriiv Shankar Singh, Thakur.
Venkatesh Narayan Tivary, Pandit.
Zahur-ud-din, Maulvi.
Nemi Saran, Lala.

Noes.

Abdul Bari, Mr. Muhammad.
Abdul Qayum, Haji.
Ahmad Sa'id Khan, The Hon'ble Lieut.
Nawab Muhammad.
Ahmad Shah, Mr. E.
Baird, Colonel R. F.
Bikram Singh, Thakur.
Bisheshwar Dayal Seth, Kunwar.
Blunt, Mr. E. A. H.
Chanee, Mr. F. F. R.
Clarke, Mr. G.
Darwin, Mr. J. H.
Dodd, Mr. R. J. S.
Elliott, Sir Ivo.
Fasih ud-din, Khan Bahadur Maulvi.
Fazl-ur-Rahman Khan, Khan Bahadur
Maulvi Muhammad.
Jackson, Mr. St. George H. S.
Jafer Hosain, Khan Bahadur Siyyid.
Jagannath Prasad, Rai Bahadur Chaudhri.
Jagdish Prasad, Kunwar.
Jamsed Ali Khan, Lieut. Nawab Muham-
mad.
Kali Charan Misra, Lieut. Raja.
Kishori Prasad, Babu.

Kushal Pal Singh, Raja.
Lace, Mr. H. A.
Liaqat Ali Khan, Nawabzada Muhammad.
Mackenzie, Mr. A. H.
Mahbub Ali Khan, Khan Bahadur Hakim.
Masud-ul-Hasan, Khan Bahadur Mr.
McNair, Mr. A. W.
Mohan Lal, Rai Bahadur Babu.
Muhammad Habib, Mr.
Muhammad Sajid Ali Khan, Mirza.
Muhammad Yusuf, The Hon'ble Nawab.
Nihal Singh, Sardar.
Norton, Mr. E. L.
Obaid-ur-Rahman Khan, Maulvi Muham-
mad.
O'Donnell, The Hon'ble Sir Sam.
Panna Lal, Mr.
Rajendra Singh, The Hon'ble Thakur.
Rajeshwar Bai, The Hon'ble Rai.
Sayid Muhammad *alias* Maiku Mian, Khan
Bahadur.
Shambhu Dayal, Raja.
Shyam Lal, Babu.
Wajid Husain, Khan Bahadur Chaudhri.
Yorke, Mr. R. L.
Zia-ul-Haq, Khan Bahadur Shaikh.

Question that clause 5 stand part of the Bill put and agreed to.

NEW CLAUSE.

Lala Nemi Saran : I beg to move that the following new clause be added :—

The association shall contribute in equal shares half of the contributions annually received under this Act to the Benares Hindu University and the Aligarh Muslim University."

As far as this new clause is concerned, I trust that it will be heartily supported by those who have professed during the course of the debate on the Bill that the association stands for helping charitable and

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educational institutions in the province. It is common knowledge that the British Indian Association Act was passed just because the intention was to help the Canning College. We are aware of the fact that long before the Act was enacted the taluqdars voluntarily came forward with their subscriptions in order to maintain the Canning College. As far as I know, it was merely with a view to secure contributions to the Canning College that the British Indian Association Act was passed into law. The paramount consideration which influenced the then Council was not that the taluqdars be benefited and enabled to form themselves into a compact body, but that an institution like the Canning College might flourish. I well appreciate the noble-heartedness of the taluqdars of Oudh in supporting a college of that nature and in thus giving an impetus to university education in the province. I am inclined to think that on the analogy of the British Indian Association Act the zamindars of the province of Agra will be willing to help the institutions I have named. I personally believe that this Bill has been brought before the House not with a view to give garden parties or to build halls after the names of officials, as was stated yesterday, but merely to advance the cause of education in these provinces. From that point of view, I welcome the Bill, and I congratulate the zamindars and promoters of the Bill on their selfless desire to tax themselves for this laudable object. Such being the case, I have reason to believe that the noble aristocracy will not oppose the motion that I am now placing before the Council.

My amendment says that out of the funds of the association which are to be realized under this Bill a certain percentage should be set apart for certain educational institutions. There are two parts of my amendment. Firstly, I have fixed a percentage of 50 per cent of the annual realization of this association to be contributed towards certain educational institutions. Secondly, I specify those institutions to which this contribution is to be paid. I would deal with these two parts separately.

It may be argued that 50 per cent, which I have proposed is one which would not be liked because it would be incompatible with the amount that would be realized by the association. So far as this argument is concerned, I am not to blame for the smallness of the amount which will be realized. I personally had a desire to move an amendment that instead of four annas per hundred rupees it should be at least one rupee per hundred rupees of the land revenue, but I thought that I could not legally do so because the rules of the association impose a liability of only four annas. I would, however, request the members of that noble order not to grudge this amount which I am proposing being given to certain educational institutions. If they feel that 50 per cent would be too much on account of the paltry sum that would be annually realized, I would suggest that the subscription should be raised from four annas to one rupee or to one rupee and a quarter. As has been repeatedly said, this would not affect the pockets of men like myself, and it may be alleged that it is why I am making this suggestion. But, Sir, I am making the suggestion because I believe that, if I have read the rules correctly and if the zamindars manifestations of generosity which they have made in this Council during the debate on this Bill are true, they would not grudge to pay at least that percentage of the land revenue which is being paid by the taluqdars of Oudh.

They want to have all the privileges that are enjoyed by the taluqdars of Oudh and to be ranked with them. But what is their excuse for not taxing themselves to the extent to which the taluqdars of Oudh have taxed themselves? Personally, I do feel, that the present rules of the association which only prescribed four annas per cent. of the revenue ought to be changed. When this Bill is really going to become law and when the zamindars are really intent upon getting it passed because of their manifestations of generosity towards charitable and educational institutions in this province, they should consider that the sole object of the Bill is not lost sight of. If the amount of the subscription is not raised to Re 1 or Rs. 1-4 per cent I am pretty sure that the paltry sum of Rs. 5,000 or Rs. 6,000, even if my amendment is carried, would not very much materially be able to help or support any institutions independently. In these circumstances, I hope that it is not too much to expect from the luminaries of the noble order that they would come forward and say that they are prepared to get this amendment made in their rules, and thereby they are going to impose a tax upon themselves which is but generous on their part for the advancement of educational institutions. By this generous act they would show to us and also to the taluqdars of Oudh that whatever might be the difference between the members of the two noble orders the taluqdars of Oudh and the zamindars of Agra regarding the *sanads* and other rights which had been conceded to the taluqdars of Oudh by the Government so far as their generosity was concerned, they are in no way less than the taluqdars of Oudh. With this hope, I have fixed 50 per cent. which is a right proportion towards charitable purposes. As the Bill stands, there is no clause which provides that the association would be compelled to contribute anything out of its own contribution towards educational or any other charitable purpose which might be beneficial to this province. I think that when the Bill was originally drafted and considered, no such idea entered into the minds of the framers of this Bill; nor did it enter the minds of the members of the association to whom this Bill was probably referred. This shows that the zamindars of Agra want to take advantage of the British Indian Association Act, but are not prepared to tax themselves for the purposes of doing some good to the province, like the taluqdars of Oudh. It has also raised certain doubts in our mind as to their *bona fides* relating to charitable purposes enunciated in the aims and objects of the association. Moreover, I do not find any amendment tabled during the last four days of the discussion on this Bill, by any member of that noble order which is likely to be affected by this Bill, to the effect that some charitable institutions should be supported or contributed to by this association. The only amendment which one can find is in the name of Khan Bahadur Hafiz Hidayat Husain Sahib, who, I think, is the legal adviser of that noble order.

Khan Bahadur Hafiz Hidayat Husain : I am not.

Lala Nemi Saran : I apparently thought so, Sir, because he was their mouthpiece. But at least, I am certain that he is not a gentleman who will be confronted by any difficulty as far as this Bill is concerned as he is not expected to enroll himself as a member of that association. Again, there is a doubt in our minds that it is not the intention of the framers of this Bill and of those who are really responsible for this Bill to do anything or to provide anything in this Bill for contributions towards charities or towards educational

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institutions or any institutions which may be worthy of doing any good to these provinces. With all these doubts in my mind, I take this opportunity to appeal to the members who are really going to be affected by this Bill to take this point into consideration that, if for nothing else, at least to keep up the appearances and to keep up themselves to the standard of taluqdars, to which class they claim to belong, they should agree to an amendment which brings to them to a certain extent on the same level as taluqdars as far as the question of contribution to charitable institutions is concerned. Sir, I may also remind the honourable members of that noble order that the taluqdars of Oudh have got to contribute $1\frac{1}{4}$ per cent. of their land revenue under the British Indian Association Act. Out of that one and one-quarter annas eight are placed at the disposal of the association itself, annas eight are placed at the disposal of the Canning College, and four annas are given to the Colvin Talukdars' School, that is, Sir, it is more than 50 per cent. which they are at present contributing out of the subscriptions and contributions which they get under the Act, towards educational institutions, not only educational institutions which benefit the sons of zamindars and taluqdars alone, but also to educational institutions which give university education to the sons of the poorest. As far as this 50 per cent. is concerned I shall not dilate on this point, as I think I have made my point clear that it is but fair and meet that they should contribute at least 50 per cent. of their contribution towards educational institutions.

The second point is, to which institution is this 50 per cent. going to be contributed? This is a point on which there may be two opinions and is worth debating. I have suggested the two denominational universities of this province, which are always, I believe, in need of funds. I need not take the time of the Council by going through the speeches of the various members of this House when they wanted money from the Government for the purposes of the Benares and Aligarh universities. I may also not repeat those arguments which were urged by honourable members on many occasions demanding subscriptions from the Government and from the public at large; but I would draw the attention of the honourable members to one point, and it is this: These are the two institutions which have got an all-India character, but, fortunately I believe, they are located in our province. The Hon'ble the Finance Member, when asked to contribute from the provincial exchequer towards these universities has on many occasion replied that it is not primarily the concern of the provincial Government and of the provincial exchequer to contribute towards these universities which are created by the Government of India.

The Council here adjourned for lunch.

After the recess, the Deputy President took the Chair.

The Hon'ble Sir Sam O'Donnell : I am to announce that His Excellency the Governor has allotted tomorrow, the 23rd, also for non-official business.

Lala Nemi Saran : Before the House adjourned for lunch, I was talking about my amendment and specially the second part of it, which deals with a part of the total contribution being payable to the Benares and Aligarh universities. I was urging my reasons why I have preferred these two universities and why I wish them to be named in the

Bill itself. As far as the claims of the Benares and Aligarh universities are concerned, I believe there will be no two opinions in the House and it will be recognized that it is these universities which require our first thought. Moreover, Sir, as we all know, these universities are not well provided for either by the Indian Government or by the Government of this province. The latter does not make any provision for them on the ground that it is not mainly a provincial concern and has many times refused in the Council to allot any money for these universities in the budgets of these provinces. Sir, the Benares Hindu University is one which gives education not only to the children of these provinces but also to the children of the other sister provinces, and I can justly lay claim to the generosity and large heartedness of our zamindar brothers, because they know it as well as we know that these universities are starving and are in great need of money, although they have been provided with money from non-official sources. With these facts in their knowledge I believe that they must have felt the justice of this amendment and specially the second part of this amendment. During the luncheon interval it was discussed by me with some of my honourable friends that if there was likelihood of a compromise I could water down my amendment to the effect that instead of fifty per cent. only twenty-five per cent. should go to these universities. I think it is proper for me to make my attitude on that point quite clear. As to the arguments which have been advanced to me by those who propose this compromise I may at once say that the fact that the contribution on their annual revenue is only four annas per cent. is of their own choice and it has not been forced upon them. Their plea that if fifty per cent. is allotted for educational purposes a very little amount would be left for the purposes of the association, can be answered by themselves. I consulted a member of the British Indian Association and I have come to know that the annual income received from contributions to that association by taluqdars of Oudh comes nearly to two lakhs. Out of these two lakhs they give away a lakh and thirty thousand to the Lucknow University and the Colvin School. The remaining sixty or seventy thousand is left for the association, and even out of this they generally give something like twenty thousand in contributions towards other institutions and towards other charities. If the Government came to the help of the taluqdars who so generously have contributed towards the maintenance of an institution which is an honour to the province of Oudh, I mean the Lucknow University, which was formerly designated as the Canning College, if the Government and the then legislature cared to frame a law by which such contributions for the support of these institutions could be collected, I believe it was mainly on the ground of these institutions. It remains for the zamindars of Agra to make out as strong a case as the taluqdars did then in favour of this Bill by showing their generous and large-hearted attitude by accepting the self imposed tax not for their own association only, but for the purpose of supporting charitable and educational institutions of this province, and then the Government may have something to justify their attitude in regard to this Bill.

It has been pointed out to me during this luncheon interval that it would be very difficult for the zamindars to contribute $1\frac{1}{2}$ per cent. of their annual revenue if it be so decided upon, and the first difficulty mentioned to me is that it would require an amendment of this Bill. Quite so;

[Lala Nemi Saran.]

I agree, but the amendment of this Bill would not be a difficult task. The Hon'ble the Finance Member has just now announced that one more day has been allotted for non-official business. We are very thankful that His Excellency has taken such a great care for non-official business and given regard to the wishes of the non-official members of this House. It is really a matter of delight, though it is a matter of surprise to me. If the Agra zamindars so like, we can try to find out some means by which they may be able to move an amendment to the effect that instead of four annas the contribution should be Re 1-4-0 per cent.

The other difficulty mentioned to me in this connexion is that it would really work a hardship on the poor zamindars. The adjective is unfortunately very improper, because the Bill does not deal with poor zamindars. I admit that there are zamindars who can be termed as poor zamindars, but the zamindars with whom we are dealing or who are mainly concerned with this Bill are those who cannot possibly be termed as poor zamindars. They would be zamindars who would be paying land revenue of over five thousand, and it matters little to them whether they contribute four annas per cent. of this five thousand or one per cent. towards the funds of this association. I think I would be unfair to the zamindars if I do not admit that they have on more than one occasion shown their liberality of purse and generosity of ideas in helping institutions which are in existence in these provinces today and doing good to them. If there are some zamindars who do not take that view but who, on account of their wish to become members of this association, are caught in the trap of this Bill, which will become an Act in due course, then I think it is a good design to compel those unwilling zamindars to contribute towards charity and towards institutions of public importance for these provinces. The argument that it would work a hardship on them is, to my mind at least, not convincing.

We know the various items that make up the budget of a zamindar. Although a small zamindar myself, I had have occasions of meeting big zamindars and knowing in my legal capacity as well as in the capacity of being a friend to many zamindars what their budgets are and what are the main items which are mainly responsible for the swelling up of the items of their expenditure. It was said by one of the members on this side that a new item has been invented or discovered by the Government of India Act in the form of election expenses. I know personally that there are zamindars who have cared to spend more than fifty thousand over elections. I also know that these zamindars have cared to contribute generously towards such items as the Government or the man on the spot of the Government has asked them to do. Though at heart they may be grudging that expenditure, in fact they have submitted to it. Knowing all these facts that these amiable zamindars either because of their large-heartedness or because of other considerations have contributed many times to purposes which have no bearing on the good of the province, and sometimes also for reactionary purposes, I think I should confidently say that it would not be working a hardship on them if this four-anna contribution be raised to one rupee and four annas.

So far about the argument that it would work a hardship. Now the question comes as to why it is required that 25 per cent. of the contribution should be earmarked for educational purposes. As far as I can

calculate, the annual subscription realized by this association would be something between ten and twelve thousand if all the zamindars of the Agra province who pay land revenue over and above five thousand become its members. That a paltry sum of ten or twelve thousand a year is to be realized by Government agency for which this Bill is being enacted into law no doubt is ridiculous, but as the House has committed itself and as the majority has imposed its will on the House that this Bill shall become law, then why should they grudge that out of this twelve or ten thousand five or six thousand a year should be contributed towards charity? As far as five or six thousand a year are concerned, I do not believe that an amount less than this can, creditably to the position of the zamindars, be paid to any institution by them by way of charity. These Rs. 5,000 or Rs. 6,000 a year are again, according to my amendment, to be divided between these two institutions. It comes to Rs. 3,000 per institution. The argument was put forward, not in this House, but by one of the honourable members during the luncheon interval, that the zamindars should have a free hand, and the association should have the option of spending this amount on charitable objects as it likes. I would have no objection to this argument and to this reasoning, but for the fact, as I said in the earlier stages of the Bill, that I entertain doubts regarding the *bona fides* of this association in contributing towards charitable objects. There is a rule in the rules of the association—it is one of the aims and objects of the association I believe,—in which it is said that the association would spend part of its income on charitable objects. We are quite in the dark about the activities of the association, whether this association has or has not contributed a single pie for charitable purposes. My information is and I give that information with a view that if I am wrong I should be corrected by the Hon'ble Minister for Local Self-Government who is the chairman of the association, that during the last five or six years only Rs. 45 or Rs. 50 were contributed by the association towards anything which might be termed charitable or educational purposes. (Hon'ble Nawab Muhammad Yusuf signified dissent). The Hon'ble Minister for Local Self Government, who is the chairman, disagrees with my statement and with my figures. I accept his disagreement, and I hope that he or some other honourable member over there will give us the figures and let us find out whether the association has acted so far in the spirit of the rules and regulations, the aims and objects, of the association. It might have been possible for us to leave the distribution of contribution among charitable institutions to the association itself if we are convinced that in the past it had honourably acquitted itself in this matter, that it had contributed to the best of its ability to educational and charitable objects. Perhaps we might change our opinion after hearing the figures from any member over there, but as yet we are absolutely unconvinced. On the other hand, we think that the association has failed, miserably failed, to discharge its duties in the matter of contributing towards charitable or educational purposes. With these facts before us, it is but fair, it is but natural, that we should, while legislating according to the wishes of the association, while accommodating the wishes of the association to the legislation, demand from them an undertaking that they would use some portion of the income towards educational and charitable objects. It might be said that it would be enough if it is enacted that so much percentage of the income of the association should be set apart for educational and

[Lala Nemi Saran]

charitable purposes and that it would serve the purpose. I disagree with that view. My reason is this.

Maulvi Muhammad Obaid-ur-Rahman Khan : May I know, Sir, if the speaker has decided to speak for the whole day, or if he intends to finish his speech. He is repeating his arguments. He has delivered a long-enough speech, and we have heard it very carefully. I think he may finish it now.

The Deputy President : The honourable member has not yet indicated whether he wants to speak for the whole day. But, I warn him he may not repeat his arguments. And, if he does so, I will pull him up.

Lala Nemi Saran : Sir, I believe that I have not as yet in my speech exposed myself to the objection which my honourable friend, Maulvi Obaid-ur-Rahman Khan, has taken. I am confident that I have not repeated a single argument in my speech. But if I have done so, it may not be without precedent. . . .

Maulvi Muhammad Obaid-ur-Rahman : From which side was the precedent?

Lala Nemi Saran : From whichever side it may be, I know speakers who have taken several hours on matters which affect vitally not only this Bill, but also our support or want of support of this Bill. For this reason it is necessary that we should make our position clear. Unfortunately my thoughts have been disturbed, and I shall try to recollect them. It may be said :—"Why should we not leave the distribution of the percentage which may be decided today in the hands of the association to be distributed as the association likes." There are reasons for this. The association, to my view, is one which has got reactionary tendencies. According to my own political views this association is one which I believe would try to throw impediments generally in the way of our future advancement, and as such I do not wish that this association should have the right to dispose of this sum in charities and for purposes which may not commend to this Council. Therefore it is not possible for us to give a free hand to this association. Tomorrow they may contribute sums towards such educational institutions which we do not like that they should get any support. We are also aware, Sir, that this association would be ruled and guided by those persons who are always trying to throw fetters on this country. As such we have conscientious political objection in giving this patronage in the hands of this association. It is for that purpose, Sir, that I want to bind the hands of this association and to legislate in clear terms what this legislature wants. I am absolutely aware that this legislature wants that this money should not be frittered away, and that this money should be applied earnestly towards some really charitable and educational purposes. I can understand the claim of the zamindars if they get up and say that out of this money a certain proportion should be allotted to be spent on their own children. There is a precedent before them in the Taluqdars' school. They spend four annas in the rupee out of this amount to the Colvin Taluqdars' School. I have no objection to that. If they really think that there is need for such a school they may have it and let it, be included as one of the institutions to which this contribution should be made. But unfortunately such a school is not in existence, and there is no likelihood of such a school

coming into existence in the near future. We have seen that much water has flowed since 1920, and now we have come to feel that the separatist tendency of the taluqdars in giving education to their sons in a school where commoners cannot gain admission is not in keeping with the present-day sentiments. I believe the zamindars of Agra are not going to copy the taluqdars in this matter. They must have learnt that it is high time that their sons and grand-sons should mix with those who may be called commoners and learn to know what the feelings of the poor and the leggars in the street are. It is only then that they can claim to have the right to call themselves leaders of men, as was said in this Council before. Therefore, I hope they have no desire like this. It is but reasonable that the money which we are now giving into their hands should be utilized towards the education of the general masses in which are included the sons of zamindars and taluqdars, and also the sons of beggars. It is these considerations which have encouraged me to rise on my feet to move the amendment. I can quite understand the impatience of the honourable members, but there is no reason for it, as His Excellency the Governor has allotted another day for non-official business.

Rai Bahadur Lala Mathura Prasad Mehrotra : I want to have some information from the Hon'ble the Finance Member. He has just announced that to-morrow also has been fixed for non-official business. I wish to inquire what business has been fixed for to-morrow. Will there be any resolutions, and, if so, will the Council be given a chance for the ballot? On the agenda of this morning I find that the resolutions of yesterday have been brought in. I wish now to find out which resolutions will be given preference for the agenda of to-morrow. Will my Bill which was balloted for the 20th, appear on to-morrow's agenda? In the next place, I wish to know whether a notice of the meeting for to-morrow will be sent to those members who have either not attended the meeting or left the Council. I hope, Sir, the Leader of the House will see his way to furnish the information I require.

The Deputy President : A series of questions have been addressed by the honourable member to the Leader of the House. I do not think that they concern the Leader of the House. It is the prerogative of the President to arrange the business of the day. To-morrow's business will be regulated by the President as was to-day's. Such work as remains unfinished will be taken over to-morrow. As regards the members who have left, I do not think that the Chair has any power to force them to attend.

NEW CLAUSE 6.

Khan Bahadur Hafiz Hidayat Hussin : I beg to move that after clause 5 the following be inserted as clause 6 :—

"Of the total amount of the contributions annually recovered in the manner specified in section 5 not less than one-fourth shall be expended on educational objects, and in case the local Government is at any time not satisfied that the said amount has been so expended it may by notification in the Gazette suspend the operation of this Act until it is satisfied."

And the present clause 6 be re-numbered as clause 7.

In moving this amendment I wish firstly to make an observation or two regarding the amendment proposed by my friend, Lala Nemi Saran. His motion refers specifically to the contributions that should under the law be made to the Benares Hindu University and the Aligarh Muslim University by the association. Much, Sir, as I sympathize

[Khan Bahadur Hafiz Hidayat Husain.]

with the motive that prompts my friend to make his motion for earmarking a fixed and definite sum for these two universities standing as they do in dire need of money. my submission is that if we begin by earmarking in this Bill certain sums that should under the law be paid to these two institutions, we shall be embarrassing the association and hampering its activities. In moving his motion with his usual eloquence, and thoroughness, Lala Nemi Saran has sought the opportunity to cast aspersions on the *bona fides* of the association and has also incidentally tried to throw dust on the Government. He also then seeks for a compromise from the association. I do not appreciate his frame of mind. If you want to have a certain concession made to you from any individual or any body of persons you cannot start by abusing that person or that body. On the contrary I am certain that if my learned friend had taken right attitude by not doubting the *bona fides* of the association his purpose might have been gained. His main reason for doubting the *bona fides* of the association was that the framers of the Bill and its supporters had not included in the original draft of the Bill any provision for charitable or educational institutions. I assure him that when this Bill was being drafted, it was the pious wish of all those who were interested in the activities of this association to earmark a substantial portion of the money realized for educational and charitable activities of the province. It may be said that before my amendment was put on the agenda that pious wish did not appear in black and white. This is so, but the fact remains that we did consider that if voluntary subscriptions were to be realized through the Government agency it was only proper that a certain proportion of the income was earmarked for charitable and educational institutions. Unfortunately, through an oversight this intention was not incorporated in the Bill. Attention of many of us was drawn to this omission, when the Bill was published, and in order to supply it, this amendment of mine has been moved. I hope that my honourable friend, Babu Nemi Saran, will take it from me the assurance that the association is actuated by the purest intentions and the best of motives. It means that a substantial portion of its income, now to be realised through the Government agency shall be devoted exclusively for charitable and religious objects. The reason why the association had not been able to spend a substantial amount so far as that the amount hitherto realised has been fitful and uncertain, and also that the association had no house of its own and used to conserve its funds for its own building. Now that the association has got a house of its own, it will be free to attend to religious and educational objects, and undoubtedly the Benares Hindu University and the Aligarh Muslim University will have their quota of contribution from its funds. Objection to the Bill was made by my friend, Babu Nemi Saran, mainly on the ground that I have stated above. I acknowledge the validity of that objection. But I hope that after the amendment that I have moved no serious objection to this Bill will be left. I make a further provision, that if the Government at any time finds that at least one-fourth money realised is not being spent on educational objects, it will have the option to suspend the operation of this Act until and unless it is so satisfied. I think that this provision makes it clear that the Government will have a voice in the affairs of the association, i.e., it can call for the accounts and satisfy itself that the

amount realised through its agency is devoted at least up to 25 per cent. towards educational objects. The reason why I say that we should not earmark any definite portion of the income of the association for the Muslim University at Aligarh or the Benares Hindu University is that if the money is to be realised from the zamindars, the sons and relations of the zamindars have a preferential claim to that money. If at a certain time the zamindars establish, say, a zamindars' college or a technical institution for the sons of the zamindars, I do not think that there is any reason why they should not be allowed to devote all this money to such an institution. That is why I say that we should not hamper the activities of this association. It may be said in answer to this that money to be spent upon educational objects may be sent by the zamindars association to the Aligarh University and to the Hindu University, for the promotion of technical subjects. But the point remains that the zamindar association shall have so control over the subject of education in those universities. It is time now that a technical college devoted mainly for the service of the sons of zamindars was started. Not necessarily may this institution be confined to the sons of zamindars who pay a revenue of Rs. 5,000 or over, but sons of all having any interest in land may be permitted to join it. Then, Sir, agriculture is going to have a larger field of its activities and larger scope for expansion in these provinces and all other provinces of India. I think that if the Agra Zamindars Association opened an agricultural college of its own—an institution, which does not exist even at Aligarh or at Benares—then for the promotion and advancement of agricultural education, mainly among the sons of zamindars and tenants, it shall have served a great public need. With these words I commend my amendment to the acceptance of the House.

Khan Bahadur Saiyid Jafer Hosain : I move that the question be now put.

The Deputy President : I find that there is an amendment in the name of Mr. Venkatesh Narayan Tivary, and he has to be asked whether he desires to move it. Mr. Habib, who belongs to the Aligarh University, also wishes to move an amendment. I think that these honourable members should be given a chance before I put the amendment to the House, and accept the closure.

Mr Muhammad Habib : I beg to move an amendment to the amendment of Khan Bahadur Hafiz Hidayat Husain. The amendment when amended, will run thus:—"Out of the total amount of the contributions annually recovered in the manner specified in section 5 not less than one-fourth shall be expended on educational objects, provided that at least half of the money allotted for educational purposes shall be given in equal shares to the Benares Hindu University and the Aligarh Muslim University."

Sir, I have only a few words to say in order to make clear my real object in putting forward this amendment. I regret I cannot agree with my friend, Mr. Nemi Chaudhary, that the zamindars of Agra have not given their support to the University of Aligarh or Benares. Now, Sir, I say that out of a crore collected for the Aligarh University at least one-third of it has come from the zamindars. I may assure you, Sir, that whenever any subscription is raised, zamindars have always come forward to our help and the University have always tried to

[Mr. Muhammad Habib.]

return the compliment by helping the poor relations of zamindars whenever they wanted our help. Sir, I want to state very frankly that my motion is not dilatory, but I am in earnest and I would appeal that, so far as my amendment is concerned, zamindars should support it for it is extremely reasonable. The amendment of Khan Bahadur Hafiz Hidayat Husain wants that, out of Rs. 100 collected, Rs. 25 will be devoted for educational purposes, that is, one-fourth only is to be given to the universities of Aligarh and Benares, so that we will get only 12½ per cent. of the total contributions collected by the association. I might give the figures in a different way. From a zamindar of Rs. 5,000 income we only get two annas a month for the two universities, that is, one anna a month for each university. The mere statement of such a request, especially as made to the zamindars, who have very liberally supported us in the past, I think should assure the success of the amendment. I regret that, during the lunch interval, to which reference has often been made, I did my very best to get a compromise effected. But the compromise, if I understand aright, has not the support of the zamindar party as such. I would appeal to the party to leave it an open question. The request is so very reasonable so very modest, and so very moderate so far as the financial part of it is concerned—one anna per university from a zamindar on Rs 5,000 is hardly a very large sum for which the zamindar party as such might bring this machine into existence.

Reference has been made to the British Indian Association. I do not at this moment wish to repeat the statements made by previous speakers; all I want to draw your attention to is that every taluqdar of the Oudh association pays 20 annas out of the same revenue, whereas the zamindars of Agra pay only 4 annas. Out of those 20 annas, 12 annas go for education, and out of these 12 annas only 4 annas go to the Colvin School and 8 annas go to the Canning College. The Canning College, like the universities of Aligarh and Benares is entirely a public institution; it is not an institution like the Colvin 'Taluqdars' School and here, incidentally, I may assure the honourable members, myself being an old boy of the Colvin High School—that I fully recognize the legitimate objects of an association to which the taluqdars contribute. I think they use 25 per cent. of the subscriptions for the promotion of the education of zamindars of their province. At the same time, so far as our two universities are concerned, I would like to bring one fact to your notice. The zamindars after all are mortal men; they, too, are subject to the vicissitudes of time. I can assure you, being a small zamindar and coming from a zamindar family, that my eyes are filled with tears when I see coming before me at Aligarh and elsewhere students whose fathers and grand-fathers have been very fine zamindars and have been ruined through the changing times. We do expect, and I believe all zamindars do expect that whenever their descendants, whenever their poor relations fall into misfortune, the university should give the education necessary. I assure the Council that, though my amendment may not be passed, the authorities of the universities always pay the greatest regard for any recommendations coming from the authorities of the association. If tomorrow a student comes to us with an assurance given by the secretary of the association that he represents a good taluqdar family, we certainly, if we have any money to

spare, shall give him preference over candidates of equal value who do not come from a zamindar family. Is it too much to ask, on behalf of a public institution which treats poor and rich alike, that they should contribute the very small sum of one anna per head when their income is Rs. 5,000 a year? It has been put to me, secondly, that according to the British Indian Association the taluqdars of Oudh have a control over the Canning College and of the Colvin School. It is true that a public institution like Aligarh or Benares may not be handed over to any particular section, but, as the Act lays down, donors of Rs. 500 or upwards always get a representation on the court. I do not know, even if my amendment is accepted, what will be the amount contributed by the association. I do not think it will be more than Rs. 700 or Rs. 800, which is not a big sum. But, nevertheless, so far as the money goes, the association, like all other private bodies and like the Indian States, will have a right of representation on the court. That is the utmost that can be asked and the utmost that can be legitimately given. I understand that the taluqdars have no control over the Canning College except for the fact that donors up to a certain amount have a right of representation on the court up to a few members, and that is the case in all universities. Great donors have a representation as donors, and associations that contribute also have a representation on the court of the two universities.

Now I have done my very best, and I want to repeat again that so far as I am concerned I have moved my amendment in no spirit of hostility. An institution like ours must be paid for by someone. We are out for public service, and this small amount that we ask is not altogether unreasonable. My honourable friend on my left often tried in this Council to get something from the Local Government, but the reply always was that they are an all-India institution. But whenever we have gone to the taluqdars of the United Provinces their contribution has always been more than we asked for and more than we expected. I see on the Government benches some of the greatest donors and beneficiaries, and one at least a very honourable old boy of the institution. Now the zamindars of Agra have never failed us. From Hindus and Muslims alike we have received enormous quantities, at least a third of the total contribution. Nevertheless, it is one thing for an association to make a contribution, it is quite a different thing for the individuals to contribute, and all I need say at this stage is that in consideration of the fact that the two universities have always given the help they can to our poorer relations, in consideration of the fact that our relations with them as zamindars have always been extremely cordial and in consideration of the fact that in spite of the non-acceptance of this amendment so far as the universities are concerned, their attitude towards the association and the zamindars will remain unchanged, I would earnestly and humbly request the House to leave it an open matter as to whether 12½ per cent. shall be allotted to the universities or not, and I believe, if the zamindars with whom I have personally conversed are left to their own choice, they will accept the extremely reasonable amendment I have put forward just now.

Rai Bahadur Babu Mohan Lal: Now that the original amendment has been reduced to 25 per cent. I accept that 25 per cent. be allotted for educational purposes. But I object to the earmarking of 25 per cent. for particular educational purposes. I do so not because I am in

[Rai Bahadur Babu Mohan Lal.]

any way against the Hindu University or the Aligarh Muslim University, but because I feel that it is the association's money and the association should have full power of control over its money, as long as it spends for educational purposes. The association will see what are the legitimate needs of the zamindars of the province. Now the example of the British Indian Association has been quoted. Let us see what was the body that decided money to be spent on this particular purpose. It was the taluqdars themselves who decided that so much money should go towards the Canning College and so much towards the Colvin School, and not the legislature. So I say it should be left to the association to decide in what manner they want to spend this money. The Hindu University or the Aligarh University will have their representatives and they can impress their requirements on the association and persuade them to give this 25 per cent. which is earmarked for educational purposes either to the Hindu University or the Aligarh University or any other educational body. I think it is not fair on the part of the legislature to force the association to spend this money for any other purpose. In the present state of the country it is not the university education that will do good to the poorer classes, it is primary education, it is education in technical subjects, such as agriculture or industries that can do good to the poor classes more than university education. It should be left open to the association itself to see what are its local needs on which their money will be best spent, whether it should be primary education, industrial education, agricultural education, or any other.

Pandit Venkatesh Narayan Tivary : I thought that the amendment moved by the honourable member for Bijnor, would be readily accepted by the honourable members who have been telling the House that this Bill was framed on the analogy of the British Indian Association Contribution Act. I am, therefore, disappointed at the attitude taken up by the honourable member who has now taken upon himself the responsibilities and duties of a dry nurse to this measure. But before I deal with the arguments advanced by the honourable member for Hardoi, I would like to refer to the speech of the honourable member on my left. He began his speech by saying that much as he sympathized with the motion of the honourable member for Bijnor to get a certain amount of contribution to be realized for the benefit of the association under this Act, for the two universities of these provinces he would not lend his support to it. He could not lend his support to it. It reminds me, Sir, of an incident that took place in the old Imperial Legislative Council when the Compulsory Elementary Education Bill was under consideration. Sir Maneckjee Dadabhai, in speaking on the motion to refer the Bill to a Select Committee, began by professing his utmost sympathy with the principles of that Bill but ended by opposing it vehemently. When the time came for reply, Mr. Gokhale said : "What could he do with the sympathy of an honourable member like Sir Maneckjee Dadabhai ? If sympathy is expressed by the official benches it follows that some good, howsoever meagre it may be, is likely to be done, but the sympathy of a non-official member is of no value whatsoever." What Mr. Gokhale said on that occasion applies with equal force to the professions of sympathy made by the honourable member, Khan Bahadur Hafiz Hidayat Husain. He has been good enough to

admit that the objection made by the honourable member for Bijnor was valid to the extent that no provision had been made in the Bill for setting apart a certain percentage of the contributions to be utilized for educational purposes. Why was this omission made by those who were originally responsible for the drafting of this Bill? We had been assured that the Bill was perfect in every respect, and the attitude of the supporters of this measure has shown to the House that in their opinion the measure was quite complete, that the Bill as drafted was without a flaw, that it was faultless, and that nothing could be added to it or taken out of it. He said it was the pious wish of those who were responsible for the drafting of the Bill that a certain amount of the contribution should be utilized for educational purposes. But, Sir, let me remind him of a well known English saying that the way to a certain well-known place is paved with good intentions, and it was therefore necessary for my honourable friend to my left to implement the pious intentions of the drafters of this Bill by moving an amendment of so drastic a character. He has in his amendment not only laid down the percentage of the contribution which is to be utilized for educational purposes, but he has also stated in that amendment that if the local Government at any time is not satisfied that that percentage is being utilized for educational purposes the Government may, by notification in the gazette, suspend the operation of this Act until it is so satisfied. There is a lurking suspicion in the mind of my honourable friend to the left that in spite of his amendment it is possible that those who are responsible for running that association may not spend this percentage of twenty-five per cent. on educational objects. Well, Sir, if there is that lurking suspicion in the mind of the honourable member to my left, and that suspicion is shared by the honourable member for Hardoi because he has got up and has accorded support on behalf of other supporters of the Bill to his amendment, if that suspicion is lurking in the mind not only of the honourable member to my left but also in the mind of the honourable member for Hardoi, are we or are we not justified in making it clear, as has been done in the amendment moved by the honourable member for Bijnor, that in our opinion the educational objects should be the encouragement of learning in the two seats of learning that have been established at Aligarh and at Benares? What is being done by the British Indian Association? The British Indian Association are spending something like 60 to 66 per cent. of the total contributions realized by them under that Act for the maintenance of not only a sectional institution but also for the maintenance of a college the doors of which are wide open not only to the children of the taluqdars, but also to the children of those who may belong either to the province of Agra or to the province of Oudh or may belong to other provinces as well in the whole of India. Should we not follow their example in this respect? Why should we not? What is there objectionable in doing so? These are the two institutions which, from the number of speeches that have been delivered on various occasions in this House, would appear to be the most popular institutions in the whole of these provinces. I remember that whenever resolutions have been moved in this Council asking for grants-in-aid from Government for the assistance of these institutions, eloquent speeches have been made, not only from one side of the House, but from all sections of the non-official members, pressing upon the Government the importance, the urgency, the extreme

[Pandit Venkatesh Narayan Tivary.]

urgency of assistance being given to these institutions. It has been urged times out of number that for want of sufficient support these Universities of Aligarh and Benares have not been able to discharge all their responsibilities; they have not been able to do as much as they have been anxious to do for the encouragement of learning in these two seats of learning. How is it then that when an amendment of this character is moved by the honourable member for Bijnor, we find that at least two honourable members of this House are prepared to oppose it? I remember that in December, 1924, Rai Bahadur Lala Sita Ram, who was then a non-official member, moved a resolution in this House recommending to the Government to make a provision in the budget for 1925-26 of Rs. 1,20,000 as a grant-in-aid to the University of Benares for certain purposes which had been specified by him in that resolution. In doing so he said:—

“Sir, I do not think I need waste the time of the Council by saying much more than this, that here is an institution which has shown by its self-sacrifice, by its exertions, by the munificence of its supporters that it deserves the help of the Government. Government is after all spending about fifteen lakhs a year over the Lucknow and Allahabad Universities. Why can it not devote, say, five lakhs to the Aligarh and Benares Hindu Universities?”

He was followed by no less a personage than my honourable friend to my left, Khan Bahadur Hafiz Hidayat Husain Sahib. He was a profuse in the expression of his sympathy for the Benares Hindu University on that occasion, as he has been today, and he said:—

“I heartily support the resolution moved by the honourable member for Meerut.”

He was not alone: Dr. Shafa'at Ahmad Khan also lent his powerful support to the resolution of Hon'ble Rai Bahadur Lala Sita Ram and in doing so he made a remark which I think is too precious to be lost sight of. I therefore take the liberty of bringing it to the notice of the House. He said:—

“A Chinese philosopher has remarked, with the wisdom characteristic of Chinese philosophers, that it is dangerous to lay hold of the tail of a tiger to escape from the floods.”

Other speakers followed and then came the honourable member for Pilibhit and Kumaun, I mean Khan Bahadur Maulvi Fasih-ud-din. Now, as honourable members of this House are aware, whenever the venerable member for Pilibhit and Kumaun chooses to speak, he speaks with eloquence which excites the admiration of the whole House. On that occasion he was at his very best and he made one of the most interesting speeches, one of the most eloquent speeches which he has ever made on the floor of this House; and what did he say? He said:—

“I rise to support this resolution.”

And he then narrated a very funny story which I would not repeat to the House on the present occasion. He ended his speech thus:—

“With these observations I support the resolution.”

Maulvi Muhammad Obaid-ur-Rahman Khan followed him and he was followed by whom—by no less a personage than the Chairman of the managing committee of the Agra Province Zamindars' Association. He expressed his heartiest support to the resolution. Similarly, when the resolution relating to the grant-in-aid to the Muslim University was moved on March 2, 1925, a number of speeches were delivered in support of that resolution. Khan Bahadur Hafiz Hidayat Husain, of course, as was to be expected from a member of his standing in this House, made out a very powerful case in support of his resolution. I will not read the whole of his speech but only two sentences. He said :—

“ I hope that the Government will realize its responsibility in the matter. I hope,” he further added, “ It will realize that the Musalmans of this province, for whose education the Government of these provinces are primarily liable, have got their claim first on this Government.”

He was followed by Nawab Muhammad Yusuf Sahib who is the chairman of the managing committee of the Agra Province Zamindars' Association. Now, the Nawab Sahib always speaks with sincerity, with feeling, with enthusiasm, and with zeal. On this occasion, too, these qualities were presented in the speech which he made. He said :—

“ My honourable friend the member for Cawnpore has given such a good account of the Aligarh University”. I should like the members to note this “ that it is hardly necessary for me to cover the same ground. The university has got ideals of its own, and is unique in its traditions. It sends out students with a hall-mark which has deservedly won for it a name not only in India but in the whole world. The name of Sir Syed Ahmad Khan will always remain writ large in the history of the university, for it is he who was responsible for its establishment.”

These were merely his prefatory remarks as he rose, and then he came to the resolution. In support of the resolution he gave a number of arguments and he ended by saying :—

“ Sir, we have come to associate with the Hon'ble the Finance Member, sympathy and large-heartedness, and I am sure our appeal will not go unheeded.”

Whether we have come to associate with the Hon'ble the Finance Member sympathy and large-heartedness or not, we have certainly come to associate sympathy and large-heartedness with the chairman of the managing committee of the Agra Province Zamindars' Association, and I hope our appeal will not go unheeded. We shall see how far he is prepared to help us in getting this amendment of Lala Nemi Saran adopted by the House. Dr. Zia-ud-din spoke and then Maulvi Muhammad Obaid-ur Rahman Khan Sahib, also spoke with eloquence. He said :—

“ It is an institution which has introduced in India the residential system after the model of the Oxford and Cambridge Universities. We are not following only the example of the Benares Hindu University when we come forward with this demand ; we want it because we stand in dire need of it. Our finances are such that we think it quite necessary to come forward and ask for financial help”.

[Pandit Venkatesh Narayan Tivary.]

Similarly, when the resolution relating to the Benares Hindu University was again moved in this Council on January 27, 1927, a very large number of members of this House spoke in support of that resolution. These being the facts, I expect that all those who then emphasized the excellence of the ideals of these universities, the great work which they have been doing for the students of these provinces, for the encouragement of learning in these provinces, will today demonstrate that they are not merely expressing lip sympathy but that they are really anxious to do what they can to remove the dire necessity from which these two institutions have been so far suffering owing to the negligence, owing to want of sympathy, of Government. I admit, Sir, and admit with gratitude all that has been done by the zamindars of the province of Agra for the support of these two universities. They have subscribed liberally, they have subscribed generously, but if they have subscribed liberally, if they have subscribed generously, so have the taluqdars subscribed liberally and generously to the funds of the University of Lucknow notwithstanding the fact that they have been making a permanent contribution for the maintenance of the Canning College and the Colvin Taluqdars' School. Therefore, if we expect, if we appeal, that a similar permanent contribution should be made by the Agra Province Zamindars' Association we are not doing something which is unusual, which is not being done by the British Indian Association.

There is one more point which was made by the honourable member to my left, and I think I should refer to it. He said, that the prosperity of these two universities is very much at the heart of the members of this Council, that we the members of this House pray day and night, even when we are engaged in the work of this Council, we pray day and night for the prosperity of these two institutions. Here is an opportunity open to the members of the House, including the honourable member to my left, to translate this sympathy into action. But when the time for action comes he runs away. Why? Because he thinks that if this amount were earmarked for the two universities the association will not be in a position to establish a technical college, an agricultural college, a college for this, and a college for that. Very excellent reasons. But I would like to tell him that, according to the information which I have received from reliable sources, the 25 per cent. of the total amount that will be realized under this Act comes to only Rs. 3,000 a year. Some estimates have been made and according to this estimate the total amount that will be realized under this Act will not exceed in the near future or for the next ten or twelve years the paltry sum of Rs. 12,000. And 25 per cent. of this Rs. 12,000 is Rs. 3,000. I wonder how it is possible to establish these grandiose institutions, technical colleges and agricultural colleges out of this paltry sum of Rs. 3,000. If you are really anxious that in addition to the assistance that may be rendered by the adoption of the amendment of my friend from Bijnor the children of the zamindars should also be benefited, I can suggest a way by which this object can be attained. You may agree to give 50 per cent. if you please. But if you so desire you may give 25 per cent. in equal shares to both these institutions, but earmark it for scholarships to be awarded to the sons and daughters of zamindars who may be qualified to go and study in

those institutions. You may prescribe such conditions as you may think to be necessary and just. You may nominate the candidates to whom this scholarship can be awarded subject only to this condition, that the candidate so nominated shall be expected to go and read in those two universities. You can thereby not only help the cause of education among the children of the zamindars but will also be showing in a practical manner your sympathy with those two universities. I therefore once again appeal not only to the members sitting on this side but to all those who have been professing year in and year out for the last seven years their sympathy to these institutions. It must be shown that it was not mere lip-sympathy merely made to impress the Government. We have to show in a practical manner that what we preached on that occasion we are prepared to practise to-day; we are prepared to do what we wanted to impress on the Government. If we do that I am quite sure that when the next budget is introduced Government will realize the intensity of the feeling on the subject among the non-official members of this House belonging to all sections and they will make in the next budget provision for these institutions. With these words I heartily support the amendment which has been moved by my friend from Bijoor.

Khan Bahadur Masud-ul-Hasan Sahib : I move for the closure.

Question, that the question be now put, put and agreed to.

Lala Nemi Saran : Before I make my reply I may assure the Hon'ble the Finance Member that he need not be too impatient. Unfortunately the debate on the amendment has been too much curtailed because of the wishes of the majority in this House. There have been certain amendments to amend the amendment and again amendments to these amendments. But it has been the wish of the majority that no time should be allowed to those who wanted to speak on any of these amendments. We, Sir, placed in this Council as we are, should bow to the mandate of that majority. Therefore if I take a little longer in replying to the various arguments, especially to the arguments—solid arguments you may call them—of my honourable friend from Cawnpore it will not be my fault. The honourable member for Cawnpore while moving his amendment to my amendment was pleased in the very beginning to remark that I had tried in my speech to throw dust on the association and on the Government. I am glad he did not impute to me that I have also thrown dust on the zamindars. The two objects on which it is alleged that I have thrown dust are not such for which I can feel any compunction. As far as the association is concerned it is well known that I am not and I am not also likely to become a member. As far as the Government is concerned I do not know that I shall ever . . .

The Deputy President : I hope the honourable member will confine his remarks to replying to the arguments.

Lala Nemi Saran : As reference was made to those points by one of the honourable members, I think I must clear my position. As far as the Government is concerned, I wish to submit that I have no ambition to occupy a chair opposite. So far as the zamindars are concerned, I should like to state that I have always respected them and I do not stand here to say anything against them. It has been said that I have doubted the *bona fides* of this association. The honourable member for Cawnpore . . .

The Deputy President : The honourable member should confine himself to the amendment, and should not discuss motives and personalities.

Lala Nemi Saran : I abide by your ruling. But I must deal with the remarks made by honourable members who have opposed my amendment. The honourable member for Cawnpore could not give a convincing reason why an amendment of this kind was not included in the Bill itself. The only thing that he has told us is that it was the pious wish of the association to devote a certain percentage of the contribution to objects charitable and educational. According to him, it was a *bond fide* mistake that no special provision about education was made in the Bill. But I should like to draw the attention of the House to the fact that Khan Bahadur Sahib has not told us whether his amendment was drafted by the promoters of the Bill. No honourable member of this House who belongs to that noble order, has cared to stand up and say that the amendment of Khan Bahadur Sahib is actually theirs. How can I then take the assurance from him that it was a *bond fide* mistake and that he has corrected it? I question the authority of Khan Bahadur Sahib to correct that mistake. He said: "We thought then that it was a mistake". I should like to know whom the word "we" refers. Does he mean the members of the association? If so, I should like to point out that Khan Bahadur Sahib himself is not a member of the association. In the absence therefore of any assurance from the honourable members who are the members of the association I am still in the dark as to what was the pious wish of the association—whether the omission was deliberate or otherwise. As a matter of fact the cat is out of the bag and it appears from the speech of the Khan Bahadur Sahib that the Bill was sent to the Government of India and attention to this omission was drawn later. He does not, however, condescend to tell us at what stage and by whom was this mistake caught and who made the suggestion that such an amendment should be made in the Bill. It is very pertinent to all this, so that we may know from which quarter these high sentiments flow and whose ingenuity we should praise. I believe, Sir, by "later" the Khan Bahadur Sahib does not mean that it is the Government of India which made this suggestion. If this is so, well and good. But let him say so. If it was somebody connected with the association he should tell us this. If in the absence of this information we doubted the *bond fides* of the association we should not be blamed.

The honourable member from Cawnpore has said that the association has not been able to contribute so liberally as it ought to have contributed towards charitable and educational objects, because the association was in need of a house and it wanted to save money for this purpose. Can it not be inferred from this that in future also the association may need buildings or require money for establishment or other purposes and the association may not be able to contribute sufficiently towards educational objects. For a man like myself it is a reasonable inference to draw that such things will happen in future, and I do not think I am to blame if I have my doubts and apprehensions and have moved my amendment.

The Khan Bahadur Sahib says that he has improved upon my amendment by putting in the words "in case the Local Government is at any time not satisfied that the said amount has been so expended, it may by notification in the Gazette suspend the operation of this Act until it is so satisfied." He says that by this device he is trying to

bring in the voice of Government in the matter. I object to this very voice of the Government. I have already said in my speech that it is the Government of whom we are afraid. The members of this noble aristocracy, I mean the zamindars, are simple-minded and are true persons. They are the persons who have inherited from their forefathers, not the art of guile, not the art of cleverness, but the art to be good and courteous. I am afraid that the simple minds of these zamindars might not be used by the genius of the occupiers of the opposite benches for the purposes which might be detrimental to this association. It is for this very reason that I said that I did not want that this association should have a free hand in determining the amount that should be given to the educational institutions.

The Deputy President : I hope the honourable member will conclude his speech now.

Lala Nemi Saran : One other point which has been made by Khan Bahadur Hafiz Hidayat Husain is that it might be necessary for the zamindars to create a separate college for the education of the sons of the zamindars not only ordinary education but also technical and vocational education. I sympathize with this suggestion, and hope that the zamindars would try to bring out an institution like this. But I may point out that this purpose can also be served by contributing to the Benares Hindu University, where not only university education is imparted but also technical and language education ; and if the zamindars like, they can provide money for another department for vocational education to be opened there, which will be not only for the sons of the zamindars or aristocrats but also for the sons of commoners.

The Deputy President : Will the honourable member conclude his speech now ?

Lala Nemi Saran : I am not repeating the arguments.

The Deputy President : Technically, the honourable member may not be repeating, but he should look to the convenience of the members. If the House is going to prolong the discussion the Council will sit day after day, and it is in the interests of the members themselves that they should not be very strict in the matter of relevancy or irrelevancy, but should try to finish the discussion early and not claim their pound of flesh.

Lala Nemi Saran : I underst and the implications of your words and will try to finish according to your instructions. It is not only we who are to blame, but there are tactics on the other side also.

The Deputy President : I rule all this insinuation of tactics out of order.

Lala Nemi Saran : According to your wishes, Sir, I must stop. But I would request you to give a minute to appeal to the honourable members opposite that if the aristocracy of the Agra Province today wishes to elevate itself to the grandeur and status of the taluqdars of Oudh, as it, I feel, is trying to do, let it take its courage in both hands, let it not care for petty sums and let it be so generous and large hearted as to contribute towards educational and charitable purposes, as the taluqdars of Oudh have done.

The Deputy President : When appeals are falling on deaf ears, it is no use making them.

Babu Nemi Saran : That would be able to convince us that it is really on the analogy of the Taluqdars Act that this Bill is being enacted; otherwise the motives and the meaning would be clear even to a layman.

The Deputy President : The amendment that is before the House is the one moved by Mr. Nemi Saran. Since when another amendment has been moved by Khan Bahadur Hafiz Hidayat Husain. There is also an amendment proposed by Mr. Habib to the amendment of Khan Bahadur Hafiz Hidayat Husain. I will first put the amendment of Mr. Habib. The question is that this amendment be adopted.

(At this stage the Hon'ble the President resumed the Chair.)

The amendment was put and the House divided as below :—

Ayes 23; Noes 36.

Ayes.

Abdul Bari, Mr. Muhammad.
Badri Dutt Pande, Pandit.
Bhagwat Narayan Bhargava, Pandit.
Devata Prasad Pandit.
Dharamvir Singh, Chaudhri.
Hanuman Singh, Rai Bahadur Thakur.
Hanumat Prasad Singh, Bhaya.
Jagannath Baksh Singh, Raja.
Jagdish Prasad, Rai Bahadur Lal.
Kali Charan Misra, Lieut. Raja.
Kavendra Narayan Singh, Babu.
Liaquat Ali Khan, Nawabzada Muhammad.
Mathura Prasad Mehrotra, Rai Bahadur
Lala.

Muhammad Habib, Mr.
Mukandi Lal, Mr.
Mulchand Dube, Pandit.
Nemi Saran, Lala.
Rahas Bihari Tiwari, Pandit.
Sadiyatan Pande, Pandit Shri.
Saiyid Muhammad alias Maiku Mian, Khan
Bahadur.
Sunkata Prasad Bajpai, Rai Bahadur Pandit.
Venkatesh Narayan Tiwary, Pandit.
Zahur-ud-din, Maulvi.

Noes.

Abdul Qayum, Haji.
Ahmad Sa'id Khan, The Hon'ble Lieut.
Nawab Muhammad.
Ahmad Shah, Mr. E.
Badre Alam, Khan Bahadur Shah.
Baird, Colonel R. F.
Bikram Singh, Thakur.
Bisheshwar Dayal Seth, Kunwar.
Blunt, Mr. E. A. H.
Channer, Mr. F. F. R.
Clarke, Mr. G.
Darwin, Mr. J. H.
Dodd, Mr. R. J. S.
Elliott, Sir Ivo.
Fasih-ud-din, Khan Bahadur Maulvi.
Jafer Hosain, Khan Bahadur Saiyid.
Jagannath Prasad, Rai Bahadur Chaudhri.
Jagdish Prasad, Kunwar.
Kishori Prasad, Babu.

Kushal Pal Singh, Raja.
Lane, Mr. H. A.
Mackenzie, Mr. A. H.
Mabbub Ali Khan, Khan Bahadur Hakim.
Masud-ul-Hasan, Khan Bahadur Mr.
McNair, Mr. A. W.
Mohan Lal, Rai Bahadur Babu.
Muhammad Sajjad Ali Khan, Mirza.
Muhammad Yusuf, The Hon'ble Nawab.
Norton, Mr. E. L.
Obaid-ur-Rahman Khan, Maulvi Muham-
mad.
O'Donnell, The Hon'ble Sir Sam.
Panna Lal, Mr.
Rajeshwar Bali, The Hon'ble Rai.
Shambhu Dayal, Raja.
Shyam Lal, Babu.
Wajid Husain, Khan Bahadur Chaudhri.
Yorke, Mr. R. L.

The Hon'ble the President : The question is that the amendment of Khan Bahadur Hafiz Hidayat Husain be adopted.

The amendment was put and the House divided as below :—

Ayes 41; Noes 13.

Ayes.

Abdul Bari, Mr. Muhammad.
Abdul Qayum, Haji.
Ahmad Sa'id Khan, The Hon'ble Lieut.
Nawab Muhammad.
Ahmad Shah, Mr. E.

Badre Alam, Khan Bahadur Shah.
Baird, Colonel R. F.
Bikram Singh, Thakur.
Bisheshwar Dayal Seth, Kunwar.
Blunt, Mr. E. A. H.

Ayes.

Channer, Mr. F. F. R.
Clarke, Mr. G.
Darwin, Mr. J. H.
Dodd, Mr. R. J. S.
Elliott, Sir Ivor.
Fasih-ud-din, Khan Bahadur Maulvi.
Hidayat Husain, Khan Bahadur Hafiz.
Jafer Hossain, Khan Bahadur Sayid.
Jagannath Prasad, Rai Bahadur Chaudhri.
Jagdish Prasad, Kunwar.
Kishori Prasad, Babu.
Kushal Pal Singh, Raja.
Lane, Mr. H. A.
Liaquat Ali Khan, Nawabzada Muhammad.
Mackenzie, Mr. A. H.
Mithub Ali Khan, Khan Bahadur Hakim.
Masud-ul-Hasan, Khan Bahadur Mr.

McNair, Mr. A. W.
Mohan Lal, Rai Bahadur Babu.
Muhammad Sajjad Ali Khan, Mirza.
Muhammad Yusuf, The Hon'ble Nawab.
Norton, Mr. E. L.
Obaid-ur-Rahman Khan, Maulvi Muhammad.
O'Donnell, The Hon'ble Sir Sam.
Panna Lal, Mr.
Rajeshwar Baji, The Hon'ble Rai.
Sayid Muhammad alias Maiku Mian, Khan Bahadur.
Shambhu Dayal, Raja.
Shyam Lal, Babu.
Wajid Husain, Khan Bahadur Chaudhri.
Yorke, Mr. R. L.
Zia-ul-Haq, Khan Bahadur Shaikh.

Noes.

Badri Dutt Pande, Pandit.
Bhagwat Narayan Bhargava, Pandit.
Devita Prasad, Pandit.
Dharamvir Singh, Chaudhri.
Hanuman Singh, Rai Bahadur Thakur.
Hanunath Prasad Singh, Bhaiya.
Jagannath Bikish Singh, Raja.

Mathura Prasad Mehrotra, Rai Bahadur Lala.
Mulchand Dube, Pandit.
Nemi Saran, Lala.
Rahas Bihari Tivari, Pandit.
Venkatesh Narayan Tivari, Pandit.
Zahur-ud-din, Maulvi.

The Hon'ble the President : Mr. Nemi Saran's amendment need not be now put to the House.

Question, that new clause 6 stand part of the Bill, put and agreed to.

Khan Bahadur Hafiz Hidayat Husain : I beg to move as a consequential amendment, that clause 6 of the Bill be re-numbered as clause 7.

Question, that clause 6 of the Bill be re-numbered as clause 7, put and agreed to.

Pandit Venkatesh Narayan Tivari : I beg to move that the following proviso be added to (old) clause 6 :—" Provided that no such rules shall be made except after publication in the Gazette for criticism ". I have no intention of making any speech in support of my amendment and I can only express a hope that, so far as this amendment is concerned, the honourable members will not cut their noses to spite their faces, as they did when amendment was moved by the honourable member for Farrukhabad.

Rai Bahadur Chaudhri Jagannath Prasad : I accept the amendment proposed by my honourable friend.

Question that this proviso be added, put and agreed to.

Question that clause 6 of the Bill as amended stand part of the Bill, put and agreed to.

PREAMBLE.

Lala Nemi Saran : I move that in line 8 of the Preamble, after the word " Association " add " and for the encouragement of learning in these provinces. " I commend it for the acceptance of the honourable member in charge of the Bill.

Rai Bahadur Chaudhri Jagannath Prasad : I accept the amendment.

Question, that these words be inserted, put and agreed to.

Lala Nemi Saran : I beg to move that in lines 9 and 10 of the Preamble delete the words "and perpetual." This is simply a consequential amendment and I hope it will be accepted.

Rai Bahadur Chaudhri Jagannath Prasad : I oppose this amendment. It is against the whole spirit of the Bill.

The Hon'ble the President : Chaudhri Dharavir Singh. I hope in supporting the deletion of the words 'and perpetual', he will not let a perpetual torrent off but be brief.

Chaudhri Dharamvir Singh : It is very strange that the honourable member for Unao has objected to even the consequential amendment moved by my honourable friend from Bijnor. As my honourable friend has just said, it is a consequential amendment. It is necessary because when the assignee of a member has resigned as a result of the option given to him in the Bill, how can the subscription be perpetual in his case? Will that not be a contradiction in terms? We thought that as he had accepted two other amendments, he would also accept this, but we have been disappointed and really I feel so much disappointed that I must now finish my speech and speak no more.

Lala Nemi Saran : I am tempted in fact to make a speech on this point, but I will not. I do not know the reason for not accepting my amendment. I say that the words "and perpetual" in the Preamble do not fit in with the Bill as it now stands amended. But anyway it is their Bill; they want the words "and perpetual;" let them have it. I have got objection to these words not only on grounds of principle but on legal grounds.

Question, that the words "and perpetual" stand part of the Preamble, put and agreed to.

Question, that the Preamble as amended stand part of the Bill, put and agreed to.

Question, that clause 1 stand part of the Bill, put and agreed to.

Rai Bahadur Chaudhri Jagannath Prasad : For the convenience of the members of the Council I beg to ask permission to move that the Agra Province Zamindars' Association Contribution Bill be passed, as amended.

Pandit Bhagwat Narayan Bhargava : Under paragraph 96 of the Manual of Business, I object to this motion being taken up today.

The Hon'ble the President : I may read what paragraph 96 says. It says:—

"(1) If no amendment be made when a motion that a Bill be taken into consideration has been agreed to by the Council, the Bill may at once be passed.

(2) If any amendment be made, any member may object to the passing of the Bill at the same meeting; and such objection shall prevail, unless the President in exercise of this power to suspend this order, allows the Bill to pass."

An objection has been made, it shall prevail.

Rai Bahadur Chaudhri Jagannath Prasad : I beg to ask you to suspend the standing order for the convenience of the whole House. If the Bill is passed today it will save a day.

The Hon'ble the President : A standing order is a standing order and it is there to be complied with. I think it has been put down there for certain cases of emergency. I do not think that any case of emergency has been made out and so I cannot suspend the standing order. The Bill will be taken up tomorrow if the honourable member so wishes.

MOTION FOR AN ADDRESS TO HIS EXCELLENCY
THE GOVERNOR.

In the absence of Sirdar Nihal Singh, Khan Bahadur Mr. Masud-ul-Hasan made the following motion :—

"That an address be presented to the Governor on the occasion of performing the opening ceremony of the new Council House for which the President is requested to ask Sir Alexander Muddiman."

Pandit Bhagwat Narayan Bhargava : On a point of order. Paragraph 53 of the Manual of Business under which this motion is being made makes only an exception to the rule when no notice is required. Actually the motion is before the House under paragraph 140, which says:—"Communications from the Council to the Governor shall be made through the President by formal address after motion made and carried in the Council."

It will therefore be seen that it is not laid down upon what subjects the communication be made. In regard to the House of Commons they have clearly laid down the subjects in regard to which such motions could be moved. It is laid down in the Manual of Procedure of the House of Commons that the subjects to which an address may relate are of a formal or ceremonial character, such as addresses conveying expressions of congratulation or condolence, or they may support, recommend, approve, or condemn particular action by the Executive. These are the subjects for which an address or a formal communication to the Crown may be made by the House of Commons.

The Hon'ble the President : Will the honourable member read again the paragraph about ceremonial addresses?

Pandit Bhagwat Narayan Bhargava : "They may be of a formal or ceremonial character, such as addresses conveying expressions of congratulation or condolence, or may support, recommend, approve, or condemn particular action by the Executive."

Then, Sir, the word "Governor" means a person who is in charge of this province. The person named is not yet Governor of these provinces. Therefore, Sir, the point of order is, whether an address can be presented under paragraph 140 to a person who is not yet a Governor of the province. At present His Excellency Sir William Marris is the Governor but he is certainly not meant in the motion in any part of the House.

The Hon'ble the President : Is there any desire to throw light on this point of order?

The Hon'ble Sir Sam O'Donnell : It seems to me quite clear, Sir, that a motion of this kind is entirely in order. An address can be presented to the Governor. The mere fact that it is the Governor who is about to be appointed seems to be neither here nor there.

The Hon'ble the President : What about his first point ?

The Hon'ble Sir Sam O'Donnell : I do not quite follow his first point ?

The Hon'ble the President : His point is that an address can only be of a ceremonial nature.

The Hon'ble Sir Sam O'Donnell : All that the Standing Order says is that an address can be presented.

Pandit Bhagwat Narayan Bhargava : I could refer him to May's "Parliamentary Practice."

May's "Parliamentary Practice" by Sir T. Lonsdale Webster lays down the subjects on which addresses can be presented.

"The subjects upon which addresses are presented are too varied to admit of enumeration. They have comprised every matter of foreign or domestic policy; the administration of justice; the confidence of Parliament in the Ministers of the Crown; the expression of congratulation or condolence; and, in short, representations upon all points connected with the Government and welfare of the country; but they ought not to be presented in relation to any Bill depending in either House of Parliament."

I do not think any welfare of the country is involved in presenting an address to a person who is not yet Governor of these provinces.

The Hon'ble the President : Is the honourable member aware that an address was presented by my predecessor in office when the foundation stone of the new Council House was laid ?

Pandit Bhagwat Narayan Bhargava : I do not know whether it was presented under paragraph 140.

The Hon'ble Sir Sam O'Donnell : May I point out that since the address will be presented in connexion with the opening ceremony of the new Council House, in that sense it can come under the head of ceremonial. In the House of Commons there is a wide limit to the nature of addresses.

The Hon'ble the President : The point of order is certainly interesting. I wish I had got due notice of the point because the honourable member seems to have come fully prepared. Courtesy to the Chair required that the honourable member should have brought these points before the Chair privately so that the Chair could give a considered opinion on the matter. As it is, the Chair feels considerably handicapped not only because it is a point of a rather novel character but in the second place also because somehow or other the President is also mentioned in the motion before the House. But I shall have to take as detached a view as possible.

The first reason mentioned by the honourable member was that a communication is made to the Throne from the House of Commons. Well, I remember a ruling from my predecessor in office here when Pandit Hirday Nath Kunzru asked whether reply to the address of the Governor could be moved and the Hon'ble Mr. Keane disallowed it on the ground that the Legislative Council is not in many respects on the same footing as the House of Commons and many things of procedure and ceremony that apply to the House of Commons do not apply here. It is well-known that the Throne in England is a constitutional Throne.

and the speech from the Throne is considered to embody the opinion of the Ministry in power and that is perhaps the reason why the House of Commons is given an opportunity of moving amendments to that speech in order to bring to the notice of the Ministry certain constitutional points or certain political matters. I think that indirectly it is also a trial of strength between the various parties. Here, it is quite different. The occasion when this particular address is sought to be presented is certainly nothing but of a ceremonial character and I think whoever is authorized, if this motion is passed at all, to present that address may be trusted to put nothing in it except words of a purely non-controversial character.

As regards the second point that the Governor has not yet taken office, the motion does not say who the Governors is going to be. Whoever the Governor is at the time when the opening ceremony is performed, he will have to be presented with the address and for that purpose the President has been requested, if the House accepts, to ask Sir Alexander Muddiman to perform the ceremony. Therefore, if the House asks the President to ask the new Governor to perform the ceremony, and if he does it, then of course the address will be presented for a pure ceremony. I do think, without going deeply into the matter, that there is nothing in this point of order.

Khan Bahadur Mr. Masud-ul-Hasan : A resolution of this nature does not require . . .

Pandit Badri Dutt Pande : On a point of order, Sir. Has the honourable member got the authority from Sirdar Nihal Singh ?

The Hon'ble the President : This is the very first question that I put to him first. He says he has got an authority and I am perfectly satisfied on that point. In the second place if the honourable member will read paragraph 53 of the Manual, he will find that such a motion can be made without notice. Even if he has not the authority, this motion can be made without notice by any honourable member.

Khan Bahadur Mr. Masud-ul-Hasan : This is the first time when the Legislative Council is going to get a building for itself and a new Governor is also coming to these provinces with a very good record of services to the country. We hope that his régime will be very beneficial to these provinces and his guidance will do good both to the Legislative Council and to the country at large. On this occasion it is absolutely necessary that we members of the Council should approach him with an address of welcome, a ceremonial address, but it should be an address on behalf of this Council. With these words I commend this motion to the House.

Lala Nemi Saran : I am sorry that this motion is made at a time when many important members of my party are not here, but as this motion has taken us by surprise I may only say that the attitude of our party is well-known to the House and our political views too are well-known. As far as the personality of the new Governor is concerned, we have nothing to say against it, but, Sir, I can only say so much at this time that we want to dissociate ourselves from this motion altogether.

The Hon'ble the President : Does the honourable member oppose the motion or support it ?

Lala Nemi Saran : As I have already said, Sir, we want to dissociate ourselves from this motion altogether.

Pandit Fadri Dutt Parde : I said that the first and last act of the zamindars is to present addresses and to give farewell parties, so my word has come true. We have just finished the Agra Zamindars' Contribution Bill and the address is coming. We have all respect for all persons; we mean no disrespect to anybody or to the new Governor. We have heard a lot of him, that he is the best type of gentleman that could be found in the country, still he is not a constitutional Governor, as he belongs to some party. He is in charge of the reserved half. In England the address is presented by all parties. The Monarch there is constitutional, who does not interfere with the politics of the country, but here we know that the Governor is a party man; he is in charge of the reserved subjects and is the head of the bureaucracy. He is not the same constitutional head as the Monarch is in England, who is guided by his Ministers. We know what the Ministers are here and what guidance they will give him. In this case we think that an address is not justified. At the present moment when there are so many dissensions in the country, I think this address is out of tune. Of course the time for address should be when a Governor after doing something for the province leaves that province, when he uplifts the country, that is the time for addresses. Anybody comes and we give an address; anybody goes and we present him with an address; that is not, I think, the real point of addresses.

With these few words I dissociate myself from the giving of this address.

Khan Bahadur Hafiz Hidayat Husain : I support the resolution of my friend Khan Bahadur Mr. Masud ul-Hasan. With regard to the attitude of the Swaraj party, I will only refer them to the oath of allegiance that they have taken. It is clearly stated there, "I having been a nominated (or elected) member of the Council do solemnly swear that I bear true allegiance to His Majesty the King-Emperor, his heirs and successors" and so forth. The Governor being the representative of the Sovereign, I think the position taken up by the Swaraj party is inconsistent with the oath they have taken.

Rai Bahadur Chaudhri Jagannath Prasad : I support the motion made by my honourable friend Khan Bahadur Mr. Masud-ul-Hasan. I think the advent of a new Governor should be utilized in presenting our grievances and seeking his help.

The Hon'ble the President : May I say that that is not the point. It is not to be an address of grievances at all.

Rai Bahadur Chaudhri Jagannath Prasad : I say that the address should include that also.

The Hon'ble the President : The address will simply be an invitation to the Governor to open the Council House. Nothing more, nothing less.

Rai Bahadur Chaudhri Jagannath Prasad : I support the motion.

Raja Jagannath Bakhsh Singh : On behalf of the taluqdars, I beg to give my strong support to the motion that is before the House, that an address be presented to His Excellency the Governor.

Babu Shyam Lal : As a representative of the Agra Province Zamindars' Association I give my whole-hearted support to the motion.

Mr. E. Ahmad Shah : On behalf of the community to which I have the honour to belong I fully support the motion to present an address to the Governor.

Rai Bahadur Babu Mohan Lal : On behalf of the zamindars of Oudh, to which community I have the honour to belong, I give my whole-hearted support to the resolution.

Pandit Venkatesh Narayan Tivary : So far as I am concerned I have not the slightest objection to the substance of the resolution which has been moved by Khan Bahadur Mr. Masud-ul-Hasan. But I think it is necessary that on this occasion I should enter an emphatic protest against the manner in which a resolution of this character has been brought before the House. We have been hearing for long from Lord Birkenhead, who happens to be the Secretary of State for India, a principle which he is fond of enunciating in season and out of season, the principle of constitutional correctitude, and in the name of that principle I think that a resolution of this character should have been moved by the leader of the House who alone is the fittest person amongst us to bring forward a resolution of this character. That is the common practice that is followed in all representative Chambers. But here unfortunately it has been left to a nominated member to bring forward a resolution of this character. It has not been brought forward by the leader of any recognized party. It has not been brought forward by a member who is even an office-bearer of any recognized party. On that ground, and on that ground alone, do I object to the way in which this resolution has been brought forward before this House. So far as the substance of the resolution is concerned, I have nothing to say against it.

Sirdar Nihal Singh : The resolution has already been on the agenda for two days now in my name. As a matter of fact it was my resolution. It has not been brought forward by a nominated member. I happened to go out for a few minutes and I asked friends to let me know when it is to come up. I have just come in. So far as this question is concerned, there is nothing controversial about it. Nor do I think there is anything in it to which objection should be raised. I think ordinary courtesy demands that when the Governor comes to open the Council House there should be an address on behalf of the Legislature. That is all that the resolution wants. Ordinary courtesy demands that an address should be presented to the Governor. It is not a controversial point. It is not a party question at all. I am surprised that one member belonging to the Nationalist party has raised objection to it.

Pandit Venkatesh Narayan Tivary : Objection to the manner in which it has been brought forward.

Raja Shambhu Dayal :

— جناب والا —

میڈی رائے میں گورنر صاحب کو ایڈرس ضرور پیش کرنا چاہیئے اس لئے کہ وہ ایک نئے گورنر کی حیثیت سے اس صوبہ میں تشریف لارہے ہیں۔ یہ ضروری نہیں ہے کہ ان کو ایڈرس نہ دیکر ان کے خیالات پہلے ہی سے خراب

[Raja Shambhu Dayal.]

گردیئے جائیں - میں میمبر صاحبان سے گزارش کرونگا کہ وہ اس موشن (motion) کے خلاف جاکر ہندوستان کی تہذیب کو دھکا نہ دینے چاہئیں *

Thakur Bikram Singh : I rise to give my whole-hearted support to the resolution moved by my honourable friend Khan Bahadur Masud-ul-Hasan Sahib for presenting an address to the new Governor. Apart from what has been said on the opposite benches, I would just put a point for their consideration. It is well-known to the honourable members of this House that a magnificent building is being provided for the honourable members of this House. It is a well-known fact that a building of such magnificence as the new Council Chamber is has always been opened by some distinguished personage. I would therefore request my honourable friends who have opposed this motion to withdraw their opposition. I heartily support the resolution and further agree with my honourable friend Raja Shambhu Dayal Sahib that we should not give up our *Hindustani tehzib*.

The motion was put and adopted.

RESOLUTIONS.

Resolutions were then called.

Resolutions standings in the names of Mr. J. P. Sriwastava, Babu Bhagwati Sahai Bedar, and Babu Rama Charana were considered as withdrawn in the absence of the honourable members concerned. Another resolution standing in the name of Rai Bahadur Thakur Hanuman Singh was not moved.

The Hon'ble the President : Before I adjourn the Council until tomorrow I might say that the agenda for tomorrow will be (1) the motion of Rai Bahadur Chaudhri Jagannath Prasad that the Bill that we have been considering for the last two days be passed. After that we shall take up the undisposed of agenda of the days that were allotted for non-official business, viz., resolutions and one or two Bills that have remained undisposed of. If the honourable members are anxious to go through the undisposed-of agenda I hope they will see that the third reading of the Bill is not considerably prolonged.

The Hon'ble the President then adjourned the Council to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Friday, December 23, 1927.

THE Council met in the Council House, Lucknow, at 11 a. m. The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT :

(58)

The Hon'ble Sir Sam O'Donnell.	Babu Kishori Prasad.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Pandit Devata Prasad.
The Hon'ble Rai Rajeshwar Bali.	Babu Shyam Lal.
The Hon'ble Nawab Muhammad Yusuf.	Pandit Venkatesh Narayan Tivary.
Kunwar Jagdish Prasad.	Babu Kavendra Narayan Singh.
Mr. E. A. H. Blunt.	Pandit Shri Sadayatan Pande.
Mr. Panna Lal.	Thakur Shiva Shankar Singh.
Sir Ivo Elliott.	Raja Indrajit Pratap Bahadur Sahi.
Mr. J. H. Darwin.	Bhaya Hanumat Prasad Singh.
Mr. H. A. Lane.	Mr. Mukandi Lal.
Mr. R. L. Yorke.	Sirdar Nihal Singh.
Mr. A. W. Pim.	Rai Bahadur Chaudhri Jagannath Prasad.
Mr. A. W. McNair.	Haji Abdul Qayum.
Khan Bahadur Chaudhri Wajid Husain.	Mr. Muhammad Abdul Bari.
Mr. E. L. Norton.	Maulvi Zahur-ud-din.
Mr. F. F. R. Channer.	Khan Bahadur Shaikh Zia-ul-Haq.
Mr. R. J. S. Dodd.	Nawabzada Muhammad Liaquat Ali Khan.
Colonel R. F. Baird.	Maulvi Muhammad Obaid-ur-Rahman Khan.
Mr. A. H. Mackenzie.	Khan Bahadur Hafiz Hidayat Husain.
Mr. G. Clarke.	Khan Bahadur Saiyid Jafer Hosain.
Mirza Muhammad Sajjad Ali Khan.	Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.
Khan Bahadur Mr. Masud-ul-Hasan.	Khan Bahadur Hakim Mahbub Ali Khan.
Mr. E. Ahmad Shah.	Khan Bahadur Maulvi Fasih-ud-din.
Babu Rama Charana.	Mr. Muhammad Habib.
Rai Bahadur Lala Jagdish Prasad.	Mr. St. George H. S. Jackson.
Chaudhri Dha.amvir Singh.	Rai Bahadur Lala Bihari Lal.
Thakur Pratap Bhan Singh.	Rai Bahadur Lala Mathura Prasad Mehrotra.
Thakur Bikram Singh.	Raja Jagannath Bakhsh Singh.
Raja Kushal Pal Singh.	
Lieut. Raja Kali Charan Misra.	

THE AGRA PROVINCE ZAMINDARS' ASSOCIATION CONTRIBUTION BILL.

The Hon'ble the President : Honourable members will notice that today's agenda consists of a number of items not disposed of on December 19 and 20, besides the motion that the Agra Province Zamindars' Association Contribution Bill be passed. They need not be startled by the heaviness of the agenda. I may at the outset state that I have received private intimation that the resolutions standing in the names of Pandit Rahas Bihari Tiwari, Pandit Brijnandan Prasad Misra and Khan Bahadur Maulvi Fasih-ud-din are not going to be moved. So this leaves only the Agra Province Zamindars' Association Contribution Bill to be passed, the motion of Rai Bahadur Lala Mathura Prasad Mehrotra that the Bill to

[The Hon'ble the President.]

amend the United Provinces Village Sanitation Act, II of 1892, be referred to a select committee, and, lastly, the resolution of Rai Bahadur Lala Bihari Lal. I am sure that if the honourable members are strictly business-like, we should be able to dispose of the whole business in about an hour and a half.

Rai Bahadur Chaudhri Jagannath Prasad: I beg to move that the Agra Province Zamindars' Association Contribution Bill as amended be passed.

Before I resume my seat I wish to make only a few observations. I had the good fortune to introduce the Bill. It received the support of Government and the non-official members of the House. There was no doubt opposition from some quarters. Now, I believe, the Bill is going to be passed into law within three minutes. My request, however, to the members of the association is that they should try their utmost to justify the support which they have received for the Bill. Another request to them is that they should so conduct themselves that it may appear to the world outside that the opposition was completely unjustified. With this Bill I hope the association will acquire a special dignity. I believe that it is for the benefit of the zamindars of the Agra province. It is now for them to show that it was introduced with the best of intentions of serving the country and the public at large.

Raja Kushal Pal Singh: I rise to give my whole-hearted support to the motion before the Council. The proposed law will ensure the stability and increase the already undoubted utility of the Agra Province Zamindars' Association. It will enable the landed gentry of the Agra province to organize really efficient representation of their interests as a body and to secure a position and status commensurate with their social and political importance in the body politic of India. The landlords of the province of Agra feel extremely grateful to His Excellency the Governor for his kindness in allowing the Bill to be introduced into the Council. His Excellency has earned the right to be regarded as one of their greatest friends. The credit of the inception and initiation of this measure belongs to the distinguished and singularly capable chairman of the Agra Zamindars' Association, the Hon'ble Nawab Muhammad Yusuf. He has wrought a truly marvellous transformation. Owing to his strenuous efforts the association, which was languishing for want of driving force some years ago, is now full of vitality and vigour.

We cannot be too warm in our grateful appreciation of the services of Babu Shyam Lal to whom the work of the preparation of the draft of the Bill was entrusted. The Bill is the result of his downright hard work and unremitting labour. As the Additional Secretary of the association, he has played a most conspicuous part in placing the affairs of the association on a satisfactory footing.

The honourable member for Unao has devoted his time and energies to the performance of his duty as mover of the Bill. He has placed our case before the Council in a most effective and telling manner. His earnest and untiring work in piloting the Bill through the Council deserves our most cordial and grateful thanks.

Babu Shyam Lal: I beg to move a formal amendment with your permission that wherever in the Bill the figure "192" appears it should be "1927."

Before I sit down I want to make a few observations. I have not taken any part in the discussion of the Bill and my justification for this is that I found that the veterans of both the parties—the Zamindar party and the non-Zamindar party—were busy in crossing swords with one another, and I thought that my little experience in the art of legislation should not mar the high standard of the debate in the Council.

I should now like to give a short history of this association. It was founded in 1914 and received the support of the Government of Sir James (now Lord) Meston from the very beginning. He was pleased to preside at the inaugural meeting of the association and his Government issued instructions to the district officers to receive the contributions which were to be paid by the zamindars along with the land revenue and to forward them to the association without any cost to it. The idea of approaching the Government with a Bill similar to the British Indian Association Act did not originate with the present Chairman of the Executive Committee of the association, but it originated with the late lamented Hon'ble Abdul Majid. I fully remember this as a humble member of the association when myself, Raja Kushal Pal Singh and the late lamented Nawab Sahib discussed this. I understand that he approached the Government and the Government order was the result as a starting step. I would like to remark that every infant born in a natural way is never born a giant. Our association is still in its infancy, and much advantage has been taken of this to criticize its activities. I may assure the Opposition that it will be our best endeavour to justify its existence and to try to do good not only to the zamindars but also to the public at large, to the tenantry and to the country, and that after a short time the members who are opposing us will find that we have justified our existence. Of course there were shortcomings in the Bill, but these have been removed by amendments; and I think that the members sitting on the cross-benches will find their way not to oppose the passage of the Bill. With these few remarks I support that the Bill be passed.

Bai Bahadur Lala Jagdish Prasad : As one representing the general electorate and as one belonging to the zamindar class I deem it my painful duty to oppose the passage of this Bill. I realize that one or two amendments that have been adopted by this House have made the measure liberal and progressive to some extent. But, Sir, on the whole I consider that the Bill will not serve the best interests of the zamindars of the Agra province. It is simply on account of this suspicion lurking in my mind that I have deemed it my duty to withhold my support from the passage of the Bill. My chief objection, Sir, is to clause 3 of the Bill. Of course the amendment of my honourable friend Khan Bahadur Hafiz Hidayat Husain has, to some extent, mitigated the rigours of the Bill, but my idea is that the heirs, successors and assigns of the members of the association should not have been bound down by the provisions of this Bill. They should either have been excluded altogether or should have been brought under the purview of the Bill to the extent that they should have been made liable to contribute to the funds of the association only if they had consented to be enrolled as members of the association. To that extent I think that the Bill will operate as a great hardship on the zamindars generally belonging to the province of Agra.

One other amendment that has been adopted by this House was that of Lala Nemi Saran, which provides that a defaulter should not be arrested for recovery of the contribution. That amendment has been of a

[Rai Bahadur Lala Jagdish Prasad.]

progressive nature. But scrutinizing carefully the provisions of the Bill as a whole, I consider that it has not emerged from this House in a form which may command the support of people of my way of thinking. The manner in which this Bill has been piloted, the rejection by the supporters of the measure of amendment after amendment, which were of a progressive nature, the fact that sufficient time and opportunity were not given to the zamindars to have their say in the matter—the zamindars whose interests will be affected by the provisions of this Bill; the fact that the Bill was not allowed to be either circulated for public opinion or to be referred to a select committee, in short, the manner in which the Bill has been rushed through does not speak well of the measure or, for the matter of that, of the supporters of this Bill, if I may be allowed to say so. I think that this rushing through of the Bill is against the principles of democracy. These are the days of democracy, and it is but right and proper that the people who are going to be affected by a certain enactment should be allowed to have their say as to what they think of the provisions of a certain measure. This, Sir, has not been done. But as a large majority of this House is going to pass this Bill into law, I wish that my suspicions with regard to its usefulness may prove to be unfounded. I wish that the Bill may prove a real blessing and that the zamindars of the Agra province may be prosperous and happy under its provisions. If time proves that the Bill has been a blessing, my suspicions will prove to be unfounded. But, Sir, whether it will serve the best interests of zamindars lies in the womb of futurity. Everybody can only foresee according to his best lights. I foresee that it will not prove to be in the best interests of zamindars, and therefore I hope that my motives will not be questioned if I withhold my support from the Bill in the same way as I do not question the motives of those who have sponsored it. I think that the supporters of the Bill have brought it forward with the best of motives, and in the same way I hope that those who are in support of this Bill will consider that I or any other member of this House who stands to oppose it are actuated by the best of motives and the honestest of intentions. As I have said before, I wish every success to the measure, as it is going to be enacted by the collective wisdom of a majority of members.

Before I sit down I want to make my position clear in one other aspect. The Hon'ble Nawab Muhammad Yusuf, who is the Chairman of the Executive Committee of the Agra Province Zamindars' Association and who has been all along interested in the passage of the Bill, is a personal friend of mine. I hope, Sir, that if I have deemed it my duty to oppose this Bill, my honourable friend will consider that I have deemed it my duty to do so, because I represent a section of the public. I hope my personal relations with the honourable Minister will remain undisturbed and unaffected. After all, Sir, we are here to give expression to public sentiments according to our own lights. I am here to give expression to my views according to my best lights. As I have said, time alone will show whether my views in the matter were right or whether the supporters of the Bill were in the right. But at present I hope that the supporters of the Bill will not question my motives and will concede to me the fairness of letting me hold my own opinion, if I entertain serious doubts regarding the utility of the measure. With these words I express again that it is my painful duty to withhold my support from the measure.

Rai Bahadur Lala Bihari Lal : As Vice-Chairman of the Agra Province Zamindars' Association I have felt it a great pleasure and satisfaction to find that this Bill has advanced so far that we are now considering whether it should be passed or not. I cannot say whether, if this Bill is passed, those who have been opposing it will find that they were in the wrong. I do not impute any motives to them, because they thought that the hurrying of this measure was not desirable. However, now that this Bill has reached the third reading, I am very grateful to those members who have supported it, and I hope that those who have not been in a position to see eye to eye with us will not feel, after this Bill has been passed, that we were in the wrong. I cannot say that without the help of His Excellency the Governor this Bill would have been passed, and we are very much thankful to His Excellency the Governor for the generous support that he has extended to us on all occasions and for the generous and hearty support of a measure like this and its incorporation in the Statute Book. I cannot close my remarks without saying a word as regards the Chairman of the Agra Province Zamindars' Association who was chiefly responsible for bringing this Bill on the Statute Book. I am very thankful for all the trouble that he has taken, and I trust that our hopes will be realized and that this association will be put on a permanent footing after the Bill is passed. With these few words I support the motion that the Bill be passed.

Thakur Shiva Shankar Singh : I rise to oppose this Bill as a zamindar of the Agra province. I may say that there was no necessity for such a legislation to realize taxation from us. The very nature of this Bill, the dramatic way in which it has been hurled upon us, is a clear proof that it has been forced upon us against our will. The very fact that there was no one in this province to bring this Bill before this House shows it is against the wishes of the landlords of the Agra province. My honourable friend the Raja Sahib said that the Bill was drafted by Babu Shyam Lal, but in a private talk Babu Shyam Lal told me that the Bill as drafted by him was not presented to the House.

Babu Shyam Lal : I wish to give a personal explanation. What I said was that the Bill as drafted by me is not before the Legislature. I am only a beginner, I do not know conveyancing, and my draft is not before the House on account of the improvements and changes made in the draft.

Thakur Shiva Shankar Singh : I think no useful purpose will be served by the passage of this Bill. The only purpose that seems to me will be served is that every opportunity will be taken by the persons so desiring to do anything and everything obnoxious in the name of the Agra Province Zamindars' Association. The second thing that, I think, will be done by the passage of the Bill will be to give parties and addresses to the high officials while coming to and going from these provinces. Besides these, I do not think any useful purpose will be served. For these reasons I oppose the Bill *in toto*.

Chaudhri Dharamvir Singh : I rise to oppose the passage of the Bill. I do not think I have much to say because all the arguments have been exhausted and all that we wanted to say has already been said. But we have not been able to appeal successfully to the hearts and minds of our friends. As personal explanations are given, I think it will be proper for me at this stage to say that our opposition to this Bill was because we

[Chaudhri Dharamvir Singh.]

thought, as our friend the honourable member for Muzaffarnagar has said, that in it was involved the question of the rights of the general electorate. We thought that nothing should be passed which had an element of force or compulsion in it or which involved the confiscation of the elementary rights of citizens, and from this view-point we thought it imperative on us to oppose the Bill in the manner we did. We have no opposition to the advancement of the zamindars as such; we want zamindars really to progress. Even now I hope that my honourable friends who sit on the cross-benches will realize that it will be a good and proper thing for them to drop the idea of having this Bill passed into law, because they should realize the position in which they stand. It has been expressed by various members in the general giving of thanks today that they owed it to Government and to Government's support that the Bill has come to this stage. There ought to be no doubt about this matter. Clear proof of it is supplied by the attitude of the Hon'ble the Finance Member and other Government members through all the stages of this Bill; but it has also been proved by the admissions of the zamindar members themselves. Now, it is not a disputed point that the Bill has got the full support of the official members of the Government. As a matter of fact it was primarily the Government that was interested in it and dust has been thrown into the eyes of the zamindars and they have been cheated. Their sentiments and feelings have been exploited. It is a Government measure, having in it a Government purpose. It is one of the achievements of the bureaucracy in India that if it wants a thing to be done and if it thinks that by doing it itself its position will not be what it wants the people to think it to be, then its device is to play upon the feelings and sentiments of the people and then bring in a measure fulfilling its purpose through the medium of some others under its magic. The same thing has been done here. The feelings and sentiments of the zamindars have been exploited. They have been shown a very bright picture—a picture of some future prospects has been shown to them and they have been made to believe that a measure of this character is primarily for their good. But we know that the Royal Commission is shortly coming to India, and we also know that it is being boycotted by all the Nationalists, Congressmen and, in fact, by all right-minded politicians in India; some organization must be prepared and manufactured which should go before the Royal Commission and say what the bureaucracy wants should be said before that Commission. It is for this purpose that this Bill was brought by the Government through the zamindars. That is the real purpose of this Bill. I do not know whether my zamindar friends will see the evil under the cover. Anyhow, if they think that it is to their good and, as some of my friends have said, through this association and under the protection of the law that has been granted to this association, they will do some public good, some beneficial service to society, by all means let such good be done; let us see what they do; let us see whether the fears of my friend Thakur Shiva Shankar Singh are realized. We have yet to see whether the money realized by forcible subscription will be spent in giving addresses to those who come and go or in building lofty houses and mansions, or in giving parties and things of the sort; or whether it will be spent on really good and benevolent services for the society.

With these words I give my strongest opposition to the passage of this Bill into law.

Khan Bahadur Mr. Masud-ul-Hasan : I move that the question be now put.

The Hon'ble the President : I think it rather early to put the question.

The Hon'ble Sir Sam O'Donnell : I desire to say a few words regarding the attitude of the Government towards this Bill. All sorts of motives have been attributed to us. The ingenious honourable member for Meerut has even today suggested that we have had the Statutory Commission in view and we have been anxious to secure a witness before it. I do not think that these suggestions are worth replying to. Our reasons for supporting this measure are perfectly simple. We see no reason why what has been conceded to the British Indian Association, to the taluqdars of Oudh, should be denied to the zamindars of Agra. It is true that there are certain differences. The British Indian Association is a very old and long-established institution ; the Agra Zamindars' Association was established only in 1914. It is in fact guilty of the atrocious crime of being young. Well, Sir, we know the classical answer to that. It is a defect which will be cured by time. Then, Sir, it is true that for that very reason the record of service rendered to the public by the Agra Zamindars' Association is not comparable to that which the older association in Oudh has rendered. It is also true that the proportion of zamindars in Agra who belong to the association is not as high, I believe, as in the case of the British Indian Association, but these defects are not arguments against the Bill. If it is conceded that it is desirable that the Agra zamindars should have an organization which will effectively represent them, which will enable them to develop a corporate life and activity and to work through that association for the welfare not only of their own community but of the whole agricultural community, then these defects are not arguments against the Bill ; on the contrary, they are reasons for it, because it is precisely through the Bill that they will be remedied.

It is also true that one of the objects of the British Indian Association Bill was to legalize the arrangement under which the taluqdars of Oudh have been making contributions for the support of the Canning College. But under this Bill a substantial proportion, nearly half of the contributions also go to the general purposes of the British Indian Association. Now, under this Bill as it now stands a definite proportion of the contributions of the Agra zamindars will go in support of education, so that in that respect too the two measures are broadly analogous. In short, this Bill in its intention and in its methods is broadly on the same lines as the British Indian Association Act and therefore it seemed to us right and reasonable that we should accord it our support.

Khan Bahadur Maulvi Fasih-ud-din : In spite of the fact that some of our friends on the Opposition benches have attributed motives to the Government in connexion with this Bill, I think it is the duty of everyone who has the cause of the zamindars of the Agra province at heart to thank most cordially and most sincerely His Excellency the Governor Sir William Marris for the encouraging assistance that he has given us in connexion with this Bill.

The Hon'ble the President : May I just point out that it might not be quite right to bring in the name of His Excellency the Governor ? The appreciation might be followed by criticism and in that case it will reflect

[The Hon'ble the President.]

on the conduct of His Excellency. Will the honourable member confine himself to the Government.

Khan Bahadur Maulvi Fasih-ud-din : I think it is up to us to congratulate the father of this Bill, the President of the Agra Zamindars' Association, the Hon'ble Nawab Muhammad Yusuf and I am sure that this Bill will continue to commemorate his memory, not as a Minister of these provinces but as the chairman of an association of which we should be duly proud. I am sure that after he retires from his political life—and I hope that that life will be lengthened—he will have at least the satisfaction to think that he has done something which will remain as a monumental achievement in the history of our efforts for our progress. I am sure that the two uncles of the Bill also, namely, the secretary, Major Ranjit Singh, and the additional secretary, my friend on my left, deserve our best thanks.

Sir, I find that the Bill has been opposed tooth and nail by some of our friends and one of them has gone to the length of saying that it is mischievous and that it leads us to slavery and to serfdom. It is not an occasion to reply to the charges that have been levelled against the Bill, but I would submit that the chief point at which all the opposition seems to be centred is this, that once a member of this association, he is to be the member for the whole of his life. This is a point which seems to be obnoxious to many of our friends. I submit that if a person joins an association knowingly, willingly, and deliberately, with the full knowledge that when he once gets himself enrolled into the association he will have to be there for the whole of his life, I do not see where is the objection to that sort of membership. If it were not for the voluntary nature of the membership, the objection would have been valid. I think that this Bill will continue to form a great landmark in our history, and although it has a small beginning, I am sure that some day or other it will enable our association to grow into a fully developed institution and then we shall be in a position to realize the advantages of this Bill.

With these remarks I support the Bill.

Khan Bahadur Saiyid Jafer Hosain : I again move for the closure.

Pandit Venkatesh Narayan Tivary : I rise to associate myself with the tributes that have been paid to the Hon'ble the Minister for Local Self-Government by the various members of this House on the achievement of one of his cherished ambitions and I think whether he is in office or out of office, he will always look back upon this day as the proudest day in his life. He, more than any one else, is responsible for having infused life into the moribund body of this association. He, and he alone, is responsible for having collected a sum of Rs. 1,25,000 for the construction of the Marris Hall. He, and he alone, is responsible for having gone and collected money and having created interest in other members of the association. The names of the two "uncles" of the association have also been mentioned by the honourable member for Pilibhit and Kumaun and I should like to associate myself with the remarks which he made in regard to those two "uncles." I cannot also let go this opportunity of expressing not only on my behalf but, I believe, also on behalf of those members of the association who are members of this House our high appreciation of the most valuable work that one of its

vice-presidents, Rai Bahadur Lala Bihari Lal, has done in connexion with the construction of that magnificent building which is an addition to the architectural beauties of the city of Allahabad.

Having performed this most pleasant of tasks, may I, Sir, briefly refer to one point which was made by the honourable member for Cawnpore. He referred to the history of the association and as he did so immediately there leapt up into my mind the significant year of 1913, when the famous Cawnpore mosque riot took place. And those who know the history of the agitation that followed that riot will easily remember that it was no wonder why in the year 1914 this association was founded under the auspices of that noble Lord who was at that time our Governor—Sir James Meston. After the departure of Sir James from these provinces came the period of Sir Harcourt Butler and during his régime the association languished for want of official support, because it appears that till then an association like this could not flourish and function properly unless it was being spoon-fed by the officials of these provinces. After his departure came our present Governor. I have no intention to refer in any way to His Excellency, but I cannot but refer in passing to the remark made by the member for Agra when he said that His Excellency has richly deserved to be regarded as a friend of the zamindars. If His Excellency was in need of a certificate like this—and, in my opinion he was badly in need of it—he and he alone was the fittest member in this House to have given this certificate to His Excellency.

As regards the remarks of my friend, the honourable member for Muzaffarnagar, I think he could not have taken seriously the taunts that have been flung from those who have been consistently and persistently opposing every thing that has been moved from this side of the House with the object of improving the measure as it was introduced. The very fact that several of the amendments have been accepted by the honourable members who are supporting this measure goes to prove that the Bill was not as flawless as it was claimed to be by its supporters. Therefore we need not take seriously the criticism and taunts uttered from time to time by the sponsors of this measure.

We might know that the fight is practically over, cast up the accounts, and count our losses and gains. We pressed for the right of resignation being accorded to the members of the association. We failed. We pressed that the heirs, successors, and assigns should under the Act be free from membership until they voluntarily accepted the liability. We failed in that. But I am glad that the amendments moved by the honourable member to my left have been accepted by the House, and to that extent the Bill has certainly been improved.

I am in hearty sympathy with the honourable member for Muzaffarnagar, who is one of the most distinguished members of the Muzaffarnagar association, and I cannot withhold my admiration from him for the spirit in which he has kept up the fight to the last moment; but he ought not to have forgotten that the pass was betrayed by no less a member than the president of his association when he refused to support my motion for the circulation of the Bill to elicit public opinion thereon. Therefore, the moment the members and the supporters of the Muzaffarnagar association gave up that point, they ought to have realized that their association had been relegated to a position of subordination. We must now face the reality, that there cannot now be

[Pandit Venkatesh Narayan Tivary.]

two associations of equal status and position in the province of Agra. The association located in the city of Allahabad is now the recognized association for the province of Agra—it is the only provincial association of the province of Agra. I am sorry that the members and supporters of the Muzaffarnagar association should find themselves in this plight, but they have to thank themselves for it. If they have any complaint to utter, that complaint ought to be uttered against their president, the Hon'ble Nawab Jamshed Ali Khan, president of the United Provinces Zamindars' Association of Muzaffarnagar. I hope when Rai Bahadur Lala Jagdish Prasad goes back to Muzaffarnagar he will take the earliest possible opportunity of informing the members of his association how the cause of that association was betrayed by the president of that association. But in view of what has taken place in this Council let them reconcile themselves to the subordinate position to which they have been relegated by the action of their president.

There is only one other point to which I would refer and it is this. Yesterday when I pressed for the acceptance of the amendment moved by my friend, Lala Nemi Saran, that 50 per cent. of the total contribution received by the association under this Act should be earmarked for the Universities at Benares and Aligarh, I was told by some of the strongest supporters of the measure that there was no need for anything of that kind being done, that the members of the association themselves were public-spirited enough to come to the help of these two universities. Let me read to them from the "I. D. T." of today one significant telegram. It is this, "The Hon'ble C. R. Das, during his stay at Madras, brought to the notice of local zamindars and merchants the need for an all-India school of the kind he is attempting to establish." When I supported that amendment I feared—I had my suspicions—that this 25 per cent. will be utilized for giving support to this public school of which the Hon'ble C. R. Das is the founder. It was with a view to prevent anything of that kind being done that we were anxious that in the Bill itself the two universities might be mentioned as the beneficiaries under the Act. That has not been done, but I rely on the patriotism, on the public spirit, and the devotion to the public causes of the members of the association to see that this 25 per cent. of the total contributions under the Act will be utilized for giving financial support in a generous measure to these two universities for which in season and out of season we have been professing so much sympathy and so much concern. If this is not done, one of the famous sayings of Lord Bacon will apply to them with a good deal of justice and force. It will be said that their sympathy for these two universities is like the sympathy of a crocodile that sheds tears for those whom he would devour.

It has been said that this association is still in its infancy, that there have been defects, that there have been shortcomings, and that as it grows into manhood it will be able to discharge its duties and responsibilities in a manner befitting its position in the province. As one coming from the province of Agra I share in that hope. I certainly hope and trust that this association will belie the expectations of its supporters—its official supporters. I hope and trust that it will not become the centre of obscurantism, that it will not become the centre of reactionary forces in the province. I venture to express that hope with confidence because

we find that wherever such attempts have been made in this country, sooner or later they have come to naught, because the natural forces are much too strong. Sooner or later even the zamindars of Agra will realize, just as the taluqdars of Oudh have realized, that their salvation lies not in standing up for any special rights and privileges but in identifying themselves with the larger aspirations of their countrymen; because they can only hope to live if they are true to the national interests of the country. Not by separating themselves from the general body of their countrymen but by identifying themselves with, and fighting for, the liberties and the rights, of their countrymen can they hope to command the respect which is their due on account of the status and position which they occupy in the body politic of this country.

The Hon'ble the President : I must now put the amendment of Babu Shyam Lal to the House. The question is, that in the Bill wherever the figures 192 occur the figures 1927 be substituted.

The amendment was put and agreed to.

Maulvi Muhammad Obaid-ur-Rahman Khan : I stand to give my support to the motion which is now before the House that this Bill be passed. Sir, we have been discussing the Bill for the last four days and I think every one of us is now tired of hearing arguments from either side.

The Hon'ble the President : Example is better than precept.

Maulvi Muhammad Obaid-ur-Rahman Khan : Certainly, Sir. It is said that speech is silver, while silence is gold. But I have every belief in the saying that at a time when one is required to speak, he must speak. Our friends have been speaking for a very long time; they have taken hours and hours in delivering their speeches, and we have pointed out to them that they were wasting the time but they never listened to our points of order. Now, Sir, it is the last stage of the Bill, and we have to reply to some of the objections raised by the honourable members in their long speeches and I shall try to be as brief as possible and I assure the House that I will not encroach upon their valuable time.

There have been raised many objections against the Bill, but I shall mention four of them which were main ones. First of all, they said that there are only a few members of the association and this Bill is meant for their benefit only. I agree on that point. But I wish to tell honourable members that in 1920 when the Agra Estates Act was passed by the Legislative Council there were only 70 estates in the province which were to be profited by the measure. But in spite of the fact that there was such a small number of estates to be profited by it the Act was passed and it is now on the Statute-book. So if the number of members of this association is 320, I think we should not be discouraged. If even 320 members are to be benefited by this Bill, then certainly our labours will be fruitful. The second point raised is that we tried to rush through the Bill. This complaint is not a new one. This very complaint was made even at the time when the Agra Estates Act was passed. At that time the Standing Orders were suspended; the Bill was taken into consideration, sent to the Select Committee, and then passed within the short period of two months. No less a person than the leader of the Nationalist party was the honourable member who opposed the Bill at that time. I may here read a few remarks

[Maulvi Muhammad Obaid-ur-Rahman Khan.]

made by him at that time. He said: "I may say at once that I do not oppose the introduction of the Bill on its merits. The ground of my opposition is the unseasonableness of the introduction of such a measure." Then he says: "The best thing that could happen to it is the postponement." He is again the person who moved for postponement this time also. Even at that time his motion for postponement was not accepted and the Bill was passed. Our seeking the passage of that Bill was not without a precedent. Even now we are following the same precedent. It can be seen that whenever there is any beneficial measure for the zamindars in this Council it is opposed from that quarter. This opposition is not an unusual thing.

The third point that was made out is that the taluqdars of Oudh and the zamindars of Agra do not stand on the same footing. This also is not a new objection brought forward. We consider the taluqdars our elder brothers. We never regarded ourselves their equals. When the Agra Estates Act was before the House some remarks were made by the Hon'ble Pandit Jagat Narayan. He said: "I should like to know one thing. So far as I am aware, the basis of title in both the provinces is totally different. My impression, so far as the Agra zamindars are concerned, is that landlords there do not hold their title on account of any gift or grant or *sana'at* from the Government. They are not absolute owners of their property." Sir, I submit, that we are total owners of our property. We can give it to anyone we like. But the taluqdars cannot transfer their property with the same liberty i.e., the successor will not always remain a taluqdar having the same rights which his predecessor had. (Raja Jagannath Bakhsh Singh: Question). Very great emphasis had been laid on the point that a part of this contribution should be allotted to the Benares Hindu University and the Aligarh Muslim University. I am a man who has always supported every measure which has been brought forward here for assisting financially the Benares University or the Aligarh University. But are we here to make legislation or are we here to make rules and regulations for the association? I think it is the privilege of the association to make rules and regulations for itself, and I hope when we will make the rules and regulations then certainly we will give our best consideration to the case of these two institutions. If it would be conveniently possible, certainly I will be the first person to take up the cause of these two institutions. I am thankful for the advice which our honourable friends have given to us that we should be careful about our position. We should not think that we are separate from the general public and that we must have regard for public considerations. Certainly we realize that position and we are very careful about it, as we represent here the general electorate and we do not represent any special constituency as some of our honourable friends do. If we had not the welfare of the public at heart, we would not have been returned in a larger number to the Council today. We have enjoyed the public confidence for three consecutive terms. We have always been in a majority in the Council, and with the same foresightedness we shall continue to be so.

We have accepted four important amendments. One of them seeks to give an encouragement to the cause of education and learning. We will try our best to educate sons of zamindars and make them true citizens of the country. I am sorry Nawab Jamshed Ali Khan Sahib is not here today,

or else he would have replied to all the criticisms that were made against him. I believe that his motives were very noble and not what they have been described to be by honourable Pandit Venkatesh Narayan Tivary. We will do our best to effect a compromise with the Muzaffarnagar association and as soon as negotiations will be complete, I am certain my honourable friend to my right will agree with this Bill

The association will try to educate the public opinion and to further the cause of the country. With these remarks I support the motion which is now before the House.

Raja Jagannath Bakhsh Singh : After the very enlightening speech of Maulvi Obaid-ur-Rahman Khan Sahib I have got to offer a few words although I did not intend to speak at all on the motion. I am glad he has given me an opportunity to associate myself with the passing of the Zamindar's Contribution Bill. I shall however confine myself to two observations only. He said that the leader of the Nationalist party proposed the postponement of the Bill. As far as I remember, he never made any speech on this.

Maulvi Muhammad Obaid-ur-Rahman Khan : Yes, he did.

Raja Jagannath Bakhsh Singh : I do not remember he made a motion for postponement.

The Hon'ble Sir Sam O'Donnell : Yes, he did. He asked for certain papers, and when I said that the papers could not be produced, he moved a postponement of the debate.

Raja Jagannath Bakhsh Singh : I am not aware in what circumstances he moved for the postponement of the debate. I think I shall not be permitted to go into the reasons that actuated him to move that motion, but this much I can say, that he did not do so to obstruct the business.

The Hon'ble the President : That is a mere academic question.

Raja Jagannath Bakhsh Singh : As regards the second point raised by Maulvi Muhammad Obaid-ur-Rahman Khan that the taluqdars had no right to make a gift of the property, I beg to submit that my friend is totally mistaken regarding the interpretation of the law on this subject.

Maulvi Muhammad Obaid-ur-Rahman Khan : I accept the correction.

Raja Jagannath Bakhsh Singh : I am glad that he accepts the correction. I have nothing further to say.

Several honourable members moved for the closure of the debate.

Question, that the question be now put, put and agreed to.

Question, that the Agra Province Zamindars' Association Contribution Bill, as amended, be passed, put and adopted.

(See Appendix page 363.)

THE UNITED PROVINCES MUNICIPALITIES (AMENDMENT) BILL.

The motion standing in the name of Thakur Vijai Pal Singh Sahib for leave to introduce a Bill to amend the United Provinces Municipalities Act, II of 1916, was considered to have been withdrawn in the absence of the honourable member,

**THE UNITED PROVINCES VILLAGE SANITATION
(AMENDMENT) BILL.**

Rai Bahadur Lala Mathura Prasad Mehrotra : I beg to move that the Bill to amend the United Provinces Village Sanitation Act, II of 1892, be referred to a Select Committee composed as follows :—

Pandit Nanak Chand Sahib,
Rai Bahadur Thakur Hanuman Singh Sahib,
Rai Bahadur Lala Jagdish Prasad Sahib,
Pandit Shri Sadayatan Pande Sahib,
Pandit Bhagwat Narayan Bhargava Sahib,
Raja Sri Krishna Dutt Dube Sahib,
Maulvi Muhammad Obaid-ur-Rahman Khan Sahib,
Hafiz Muhammad Ibrahim Sahib,
Shaikh Muhammad Habib-ullah Sahib,
The Secretary to Government, Public Health department, and
The Legal Remembrancer to Government.

I move this motion without making any speech and reserve my remarks for a later occasion if there is any opposition to it.

Question, that the United Provinces Village Sanitation (Amendment) Bill be referred to a Select Committee composed of the members abovenamed, put and agreed to.

The Hon'ble Rai Rajeshwar Bali rose and wanted to say something in connexion with this Bill.

The Hon'ble the President : The Hon'ble Minister is too late, I regret. Rai Bahadur Lala Bihari Lal (after a pause) absent. Considered withdrawn in the absence of the honourable member. Council is adjourned *sine die*.

APPENDIX.

No. 4696/IA-355—1927.

REVENUE (A) DEPARTMENT.

December 1, 1927.

NOTICE has been received of the intention to introduce the following Bill in the United Provinces Legislative Council at the meeting in December, 1927. His Excellency the Governor has ordered the publication of the Bill with the Statement of Objects and Reasons under rule 18 of the United Provinces Legislative Council Rules.

The Bill with the Statement of Objects and Reasons is hereby published for general information.

The Agra Province Zamindars' Association Contribution Bill.

Bill no. 192 .

An Act to make better provision for the realization of certain contributions for the maintenance and support of the Agra Province Zamindars' Association, Allahabad.

WHEREAS certain contributions for the maintenance and support of the Agra Province Zamindars' Association have hitherto been paid voluntarily by the members of the Association, and whereas for the convenience of members and for the advancement of the ends of the Association it is expedient that the said contributions should be made compulsory and perpetual and that they should be realized along with land revenue; It is hereby enacted as follows :—

Preamble.

1. This Act may be called the Agra Province Zamindars' Association Contribution Act, 192 .

Short title.

2. The Association shall mean "The Agra Province Zamindars' Association" (Anjuman Zamindaran Suba, Agra, Agra Prant Mahipati Mahamandal) registered by that title with the Registrar of Joint Stock Companies.

Definition.

3. The following persons shall be liable to contribute to the funds of the Association, during the continuance of the Association, namely,—

Liability to contribute.

(i) all members of the Association other than honorary members;

(ii) the heirs, successors, and assigns of such members, provided that such heirs, successors, and assigns are qualified under the Second Schedule of the United Provinces Electoral Rules or such other rules as may for the time being be in force as electors for one of the Agra landholders' constituencies.

4. The amount which a person liable to contribute under section 3 of this Act shall contribute shall be calculated at the rate of four annas per hundred rupees of the amount of the land revenue assessment in virtue of which he is qualified under the Second Schedule of the United Provinces Electoral Rules or such other rules as may for the time being be in force with regard to the qualifications of electors for one of the Agra landholders' constituencies.

Amount of contributions.

5. Every person who is liable to pay a contribution under this Act shall pay such contribution in the manner prescribed by the United Provinces Land Revenue Act, 1901, for the payment of land revenue, and any arrears of contributions shall be recovered in the manner prescribed in the said Act for the recovery of arrears of land revenue, and all the provisions of the said Act with respect to the recovery of arrears of land revenue shall apply to such arrears as if they were arrears of land revenue.

6. The local Government may from time to time make rules consistent with the provisions of this Act with regard to the recovery of contributions and the payment of amounts so recovered to the Association, and generally for carrying out the provisions of this Act.

STATEMENT OF OBJECTS AND REASONS.

The Agra Province Zamindars' Association was founded in 1914 and aims at rendering to the province of Agra services of a public and beneficent character similar to those that the British Indian Association renders to the province of Oudh.

The Bill follows the lines of the Canning College and British Indian Association Contribution Act (IV of 1920) and is a permissive measure. Its object is to enable the Agra Province Zamindars' Association to fulfil the purpose of its foundation adequately.

H. A. LANE,

Secretary to Government,

United Provinces.

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